

THURSDAY, APRIL 26, 2012

EIGHTIETH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Timothy L. Stallings, Ridgepoint Church, Oak Ridge, TN.

Representative Rich led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 99

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell – 99

MESSAGE FROM THE SENATE
April 26, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 762, 892, 905 and 919; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 762 -- Memorials, Death - former Senator William Allen Richardson, Jr. by *Ketron, *Henry, *Berke, *Harper, *Herron, *McNally, *Barnes, *Beavers, *Bell, *Burks, *Campfield, *Crowe, *Faulk, *Finney L, *Ford, *Gresham, *Haynes, *Johnson, *Kelsey, *Kyle, *Marrero, *Massey, *Norris, *Overbey, *Roberts, *Southerland, *Stewart, *Summerville, *Tate, *Tracy, *Watson, *Yager, *Ramsey.

Senate Joint Resolution No. 892 -- Memorials, Interns - Morgan Kinney. by *Overbey, *Herron.

Senate Joint Resolution No. 905 -- Memorials, Interns - Rodriquez Wright II. by *Ford.

Senate Joint Resolution No. 919 -- Memorials, Retirement - Josephine Binkley. by *Herron.

MESSAGE FROM THE SENATE

April 26, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 870, 871, 873, 874, 875, 876, 877, 879, 880, 881, 882, 883, 884, 885, 887, 888, 889, 890, 891, 894, 895, 896, 897, 898, 900, 901, 902, 903, 906, 908 and 909; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 870 -- Memorials, Retirement - Dr. Donald L. Hopper. by *Gresham.

Senate Joint Resolution No. 871 -- Memorials, Death - Dr. Johnny Bates. by *Gresham.

Senate Joint Resolution No. 873 -- Memorials, Recognition - Commemorates dedication of Heritage Peace Garden on grounds of Pickett Chapel in Lebanon. by *Beavers.

Senate Joint Resolution No. 874 -- Memorials, Professional Achievement - Debra Martin, Wilson County Teacher of the Year. by *Beavers.

Senate Joint Resolution No. 875 -- Memorials, Academic Achievement - Nick Friddell, Salutatorian, Heritage Christian Academy. by *Beavers.

Senate Joint Resolution No. 876 -- Memorials, Academic Achievement - Mitchell White, Valedictorian, Heritage Christian Academy. by *Beavers.

Senate Joint Resolution No. 877 -- Memorials, Interns - Randi Perry. by *Bell.

Senate Joint Resolution No. 879 -- Memorials, Sports - Dresden High School football team, 2011 Division I Class 2A finalists. by *Herron.

Senate Joint Resolution No. 880 -- Memorials, Death - Jeremy Ryan Hill. by *Finney L.

Senate Joint Resolution No. 881 -- Memorials, Death - Lola Mae Blurton. by *Finney L.

Senate Joint Resolution No. 882 -- Memorials, Death - Teresa Ann Holman Layne. by *Finney L.

Senate Joint Resolution No. 883 -- Memorials, Death - Dwayne Hill. by *Finney L.

Senate Joint Resolution No. 884 -- Memorials, Recognition - Liberty High School Air Force Junior Reserve Officers' Training Corps Program. by *Finney L.

Senate Joint Resolution No. 885 -- Memorials, Recognition - Tennessee State University, Centennial Celebration. by *Harper.

Senate Joint Resolution No. 887 -- Memorials, Interns - Allison Otting. by *Kyle.

Senate Joint Resolution No. 888 -- Memorials, Recognition - Deliverance Outreach Temple Church, 20th anniversary. by *Barnes.

Senate Joint Resolution No. 889 -- Memorials, Death - Dr. Jaime Virata Mangubat. by *Gresham.

Senate Joint Resolution No. 890 -- Memorials, Academic Achievement - SharDarius L. Gatlin, 2012 Stan and Thelma Plumlee Scholarship. by *Gresham.

Senate Joint Resolution No. 891 -- Memorials, Recognition - Appalachian Ballet Company, 40th anniversary. by *Overbey.

Senate Joint Resolution No. 894 -- Memorials, Recognition - Historic Shorter Chapel African Methodist Episcopal Church, 144th anniversary. by *Johnson.

Senate Joint Resolution No. 895 -- Memorials, Public Service - Dr. Dale Lynch, Director of Schools, Hamblen County. by *Southerland.

Senate Joint Resolution No. 896 -- Memorials, Interns - Jennifer Kay Pinho. by *Herron.

Senate Joint Resolution No. 897 -- Memorials, Recognition - Pat Summitt, Presidential Medal of Freedom. by *Finney L.

***Senate Joint Resolution No. 898** -- General Assembly, Statement of Intent or Position - Commends President Obama for selecting Pat Summitt as recipient of Presidential Medal of Freedom. by *Ford, *Kyle.

Senate Joint Resolution No. 899 -- Memorials, Interns - Garrett Louis Montague. by *McNally.

Senate Joint Resolution No. 900 -- Memorials, Retirement - Jeff Jordan. by *Barnes.

Senate Joint Resolution No. 901 -- Memorials, Interns - James Austin Palasek North. by *Barnes.

Senate Joint Resolution No. 902 -- Memorials, Recognition - Lynn Gibson, Tennessee Governor of Pilot International. by *Herron.

Senate Joint Resolution No. 903 -- Memorials, Interns - Nicollette N. Davis. by *Berke.

Senate Joint Resolution No. 906 -- Memorials, Interns - Benjamin Hadden. by *Campfield.

Senate Joint Resolution No. 908 -- Memorials, Death - Hunter Lane, Jr. by *Kyle.

Senate Joint Resolution No. 909 -- Memorials, Retirement - Theda Bramlett. by *Bell, *Haynes.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 1109** -- Highway Signs - "Dale Fisher Memorial Highway," segment of S.R. 57 in McNairy County. by *Dennis.

House Finance, Ways and Means Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar No. 2 for April 26, 2012:

House Resolution No. 296 -- Memorials, Public Service - Officer John Shearer. by *Parkinson.

House Resolution No. 297 -- Memorials, Interns - Matthew Herriman. by *Hall, *Brooks H.

House Resolution No. 300 -- Memorials, Recognition - John A. Elkington. by *Todd.

House Joint Resolution No. 1061 -- Memorials, Recognition - Recognize NAIA Women's Golf National Championship Days. by *Hawk, *Roach, *Faison.

House Joint Resolution No. 1111 -- Memorials, Personal Occasion - Bill and Loretta Winstead, 50th wedding anniversary. by *Harrison.

House Joint Resolution No. 1112 -- Memorials, Academic Achievement - Joshua Butler, Valedictorian, Austin-East High School. by *Armstrong, *Tindell.

House Joint Resolution No. 1113 -- Memorials, Academic Achievement - Caleb Brothers, Salutatorian, Austin-East High School. by *Armstrong, *Tindell.

House Joint Resolution No. 1115 -- Memorials, Retirement - Mary Frances Warren. by *Harwell, *Naifeh, *Shepard.

House Joint Resolution No. 1116 -- Memorials, Public Service - Robert D. Martin. by *Evans, *Casada, *Hill, *Dennis, *Rich, *Harwell.

House Joint Resolution No. 1117 -- Memorials, Recognition - "Little Richard" Penniman. by *Towns.

House Joint Resolution No. 1118 -- Memorials, Academic Achievement - Kara Skjoldager, Valedictorian, Memphis Central High School. by *Hardaway, *DeBerry J.

House Joint Resolution No. 1119 -- Memorials, Academic Achievement - Elizabeth Forester, Co-Salutatorian, Memphis Central High School. by *Hardaway, *DeBerry J.

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House Joint Resolution No. 1120 -- Memorials, Academic Achievement - Jordaan McGill, Co-Salutatorian, Memphis Central High School. by *Hardaway, *DeBerry J.

House Joint Resolution No. 1121 -- Memorials, Academic Achievement - Keshane Hong Gan, Valedictorian, White Station High School. by *Hardaway.

House Joint Resolution No. 1122 -- Memorials, Academic Achievement - Tejasvi Krishna Dasari, Salutatorian, White Station High School. by *Hardaway.

House Joint Resolution No. 1123 -- Memorials, Academic Achievement - Natasha Mehra, Salutatorian, White Station High School. by *Hardaway.

House Joint Resolution No. 1124 -- Memorials, Academic Achievement - Eva Motley, Salutatorian, Memphis Health Careers Academy. by *Hardaway.

House Joint Resolution No. 1125 -- Memorials, Academic Achievement - Amber Carpenter, Valedictorian, Memphis Health Careers Academy. by *Hardaway.

House Joint Resolution No. 1126 -- Memorials, Academic Achievement - Christian Jones, Valedictorian, Melrose High School. by *Hardaway.

House Joint Resolution No. 1127 -- Memorials, Academic Achievement - Johnterrious Hall, Salutatorian, Melrose High School. by *Hardaway.

House Joint Resolution No. 1128 -- Memorials, Academic Achievement - Tieranny Woods, Valedictorian, Overton High School. by *Hardaway.

House Joint Resolution No. 1129 -- Memorials, Academic Achievement - Kya Jones, Salutatorian, Overton High School. by *Hardaway.

House Joint Resolution No. 1130 -- Memorials, Public Service - Reta Adams. by *Naifeh, *DeBerry L.

House Joint Resolution No. 1131 -- Memorials, Academic Achievement - Brandon William Morse, Valedictorian, Dayspring Academy. by *Evans.

House Joint Resolution No. 1132 -- Memorials, Academic Achievement - Micaela Leigh Flanders, Salutatorian, Dayspring Academy. by *Evans.

House Joint Resolution No. 1133 -- Memorials, Recognition - Honors participants of Pro-Life Oratory Contest for Tennessee High School Students. by *Brooks K.

House Joint Resolution No. 1134 -- Memorials, Recognition - Saj Crone. by *Kernell, *Coley.

House Joint Resolution No. 1135 -- Memorials, Academic Achievement - Breanna Glenn, Salutatorian, Howard School of Academics and Technology. by *Brown.

House Joint Resolution No. 1136 -- Memorials, Academic Achievement - Morgan Howard, Valedictorian, Notre Dame High School. by *Brown.

House Joint Resolution No. 1137 -- Memorials, Personal Achievement - Cory Phillips, Eagle Scout. by *Brown.

House Joint Resolution No. 1138 -- Memorials, Academic Achievement - Patrick Ward, Salutatorian, Notre Dame High School. by *Brown.

House Joint Resolution No. 1139 -- Memorials, Public Service - Tennessee Rehabilitation Center and its newest graduates. by *Brown.

House Joint Resolution No. 1140 -- Memorials, Public Service - Hamilton County Drug Court and its graduates. by *Brown.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar No. 2 for April 26, 2012:

Senate Joint Resolution No. 762 -- Memorials, Death - former Senator William Allen Richardson, Jr. by *Ketron, *Henry, *Berke, *Harper, *Herron, *McNally.

Senate Joint Resolution No. 892 -- Memorials, Interns - Morgan Kinney. by *Overbey.

Senate Joint Resolution No. 905 -- Memorials, Interns - Rodriquez Wright II. by *Ford.

Senate Joint Resolution No. 907 -- Memorials, Retirement - Glen Page. by *Kyle.

Senate Joint Resolution No. 914 -- Memorials, Recognition - Uncle Dave Macon Days, 35th Anniversary. by *Ketron, *Tracy, *Stewart.

Senate Joint Resolution No. 919 -- Memorials, Retirement - Josephine Binkley. by *Herron.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for April 27, 2012:

Senate Joint Resolution No. 870 -- Memorials, Retirement - Dr. Donald L. Hopper. by *Gresham.

Senate Joint Resolution No. 871 -- Memorials, Death - Dr. Johnny Bates. by *Gresham.

Senate Joint Resolution No. 873 -- Memorials, Recognition - Commemorates dedication of Heritage Peace Garden on grounds of Pickett Chapel in Lebanon. by *Beavers.

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Senate Joint Resolution No. 874 -- Memorials, Professional Achievement - Debra Martin, Wilson County Teacher of the Year. by *Beavers.

Senate Joint Resolution No. 875 -- Memorials, Academic Achievement - Nick Friddell, Salutatorian, Heritage Christian Academy. by *Beavers.

Senate Joint Resolution No. 876 -- Memorials, Academic Achievement - Mitchell White, Valedictorian, Heritage Christian Academy. by *Beavers.

Senate Joint Resolution No. 877 -- Memorials, Interns - Randi Perry. by *Bell.

Senate Joint Resolution No. 879 -- Memorials, Sports - Dresden High School football team, 2011 Division I Class 2A finalists. by *Herron.

Senate Joint Resolution No. 880 -- Memorials, Death - Jeremy Ryan Hill. by *Finney L.

Senate Joint Resolution No. 881 -- Memorials, Death - Lola Mae Blurton. by *Finney L.

Senate Joint Resolution No. 882 -- Memorials, Death - Teresa Ann Holman Layne. by *Finney L.

Senate Joint Resolution No. 883 -- Memorials, Death - Dwayne Hill. by *Finney L.

Senate Joint Resolution No. 884 -- Memorials, Recognition - Liberty High School Air Force Junior Reserve Officers' Training Corps Program. by *Finney L.

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Senate Joint Resolution No. 891 -- Memorials, Recognition - Appalachian Ballet Company, 40th anniversary. by *Overbey.

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Senate Joint Resolution No. 895 -- Memorials, Public Service - Dr. Dale Lynch, Director of Schools, Hamblen County. by *Southerland.

Senate Joint Resolution No. 896 -- Memorials, Interns - Jennifer Kay Pinho. by *Herron.

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Senate Joint Resolution No. 906 -- Memorials, Interns - Benjamin Hadden. by *Campfield.

Senate Joint Resolution No. 908 -- Memorials, Death - Hunter Lane, Jr. by *Kyle.

Senate Joint Resolution No. 909 -- Memorials, Retirement - Theda Bramlett. by *Bell, *Haynes.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

Senate Bill No. 1493 -- Alcoholic Beverage Commission - As introduced, removes annual compensation for members of the commission; allows commission to assess costs for administrative hearings. - Amends TCA Title 57. by *Marrero. (*HB1916 by *Turner M, *Stewart)

Senate Bill No. 1738 -- Tobacco, Tobacco Products - As introduced, deletes the requirement that the commissioner of revenue disclose information to the attorney general relevant to enforcement of the Tobacco Manufacturers' Escrow Fund Act of 1999; removes authority for attorney general to disclose such information in the course of litigation. - Amends TCA Title 39; Title 43 and Title 67. by *Johnson. (*HB1054 by *McDaniel)

***Senate Bill No. 2129** -- Employees, Employers - As introduced, enacts the "Tennessee Works Act of 2012." - Amends TCA Title 50, Chapter 7. by *Berke, *Finney L, *Stewart, *Kyle, *Beavers, *Crowe, *Gresham, *Ketron, *Massey, *Norris, *Overbey, *Southerland, *Tracy, *Watson, *Marrero, *Harper, *Burks, *Faulk, *Herron, *Yager. (HB2309 by *Fitzhugh, *Turner M, *Moore, *Harmon, *Miller L, *Naifeh, *Shaw, *Gilmore, *Shepard, *McDonald, *Jones S, *Richardson, *Turner J, *Kernell, *Hardaway, *Parkinson, *Favors, *DeBerry L, *Pitts, *Cooper B, *Brown, *Sontany, *Camper)

Senate Bill No. 2253 -- Drugs, Prescription - As introduced, enacts the "Tennessee Prescription Safety Act of 2012." - Amends TCA Title 53, Chapter 10, Part 3; Title 53, Chapter 11, Part 3; Title 53, Chapter 11, Part 4 and Title 63, Chapter 1, Part 3. by *Norris, *Yager, *Crowe, *Burks, *Herron, *Massey, *Overbey. (*HB2391 by *McCormick, *Matheny)

***Senate Bill No. 2292** -- Financial Responsibility Law - As introduced, allows law enforcement and county clerks to electronically verify insurance status of any vehicle; provides that a valid insurance coverage indicator on the vehicle's electronic record shall be acceptable evidence of insurance in lieu of an officer requesting other types of evidence; prohibits issuance or renewal of title or registration unless insurance coverage is electronically verified. - Amends TCA Title 55, Chapter 12; Title 55, Chapter 3; Title 55, Chapter 4 and Title 56. by *Watson. (HB2439 by *Dean, *Hurley)

Senate Bill No. 2580 -- Welfare - As introduced, requires applicants for TANF benefits to undergo a drug test before receiving such benefits; restricts TANF benefits for positive drug test results under certain circumstances. - Amends TCA Title 4, Chapter 3, Part 12; Title 4, Chapter 3, Part 18 and Title 71. by *Campfield, *Ramsey, *Tracy, *Bell. (*HB2725 by *Hurley, *Evans, *Johnson C, *Sexton, *Hensley, *Hawk, *Hall, *Brooks H, *Sparks, *Brooks K, *Ramsey, *Alexander, *Matheny, *Eldridge, *Williams R, *White, *Halford, *Casada, *McCormick, *Coley, *Campbell, *Matlock)

***Senate Bill No. 2701** -- Taxes, Exemption and Credits - As introduced, authorizes a sales tax refund on purchases made by persons receiving insurance settlements or filing insurance claims for damages resulting from disasters occurring in 2011; extends the filing deadline for applications to June 30, 2012. - Amends TCA Title 67, Chapter 6, Part 3. by *Bell, *Barnes, *Beavers, *Berke, *Burks, *Campfield, *Crowe, *Faulk, *Finney L, *Ford, *Gresham, *Harper, *Haynes, *Henry, *Herron, *Johnson, *Kelsey, *Ketron, *Kyle, *Marrero, *Massey, *McNally, *Norris, *Overbey, *Roberts, *Southerland, *Stewart, *Summerville, *Tate, *Tracy, *Watson, *Yager, *Ramsey. (HB2889 by *Watson, *Forgety, *Dean, *Cobb, *Floyd, *Matlock, *Brooks K)

Senate Bill No. 2809 -- Education, Higher - As introduced, requires public postsecondary institutions, under certain conditions, to accept for credit any dual credit course developed by another public postsecondary institution in collaboration with a high school. - Amends TCA Title 49. by *Tracy, *Marrero, *Stewart. (*HB2613 by *Brooks H, *McCormick, *Naifeh, *DeBerry L, *Fitzhugh, *Montgomery, *Powers, *Dunn, *Brooks K, *Hensley)

Senate Bill No. 2890 -- Liens - As introduced, creates the Class E felony of preparing, signing or filing a lien or other document intended to encumber land when the person has no reasonable legal basis for placing the lien on the property. - Amends TCA Title 39, Chapter 17, Part 1. by *Kelsey, *Ford. (*HB2888 by *Coley, *Watson, *Maggart, *Lundberg, *Matheny)

***Senate Bill No. 2895** -- Professions and Occupations - As introduced, increases from three years to four years the amount of time a scrap metal dealer must maintain records of scrap metal transactions on site and available for inspection. - Amends TCA Title 62. by *Tracy, *Burks. (HB3246 by *Matheny, *Dean)

Senate Bill No. 2923 -- Workers Compensation - As introduced, clarifies that either party in a worker's compensation dispute may bring suit in the county in which the employee resided at the time of the injury, revising current law's requirement that it be the county where the employee resides, when issues remain after the benefit review conference. - Amends TCA Title 50. by *Overbey, *Ketron, *Bell. (*HB2808 by *Dennis)

Senate Bill No. 2929 -- Welfare - As introduced, specifies that the final study of medical assistance program and any participating managed care organizations be reported to the finance, ways and means committees of the senate and the house, the office of legislative budget analysis and the fiscal review committee on or before April 1 of each year, instead of April 15. - Amends TCA Title 71. by *Overbey. (*HB2969 by *Harrison)

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 26, 2012**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Appropriations Calendar** for **April 26, 2012**: House Bill(s) No(s). 3839, 3835, 3836 and 3837.

CONSENT CALENDAR NO. 2

House Resolution No. 286 -- Memorials, Recognition - Landon Crabtree. by *Matheny.

House Resolution No. 287 -- Memorials, Public Service - Phillip J. Timp. by *Lundberg.

House Resolution No. 288 -- Memorials, Recognition - Wilma LeSure. by *Favors.

House Resolution No. 289 -- Memorials, Interns - Ethan Norwood. by *McManus, *Lundber, *Sexton, *Fitzhugh.

House Resolution No. 290 -- Memorials, Interns - Andrew Smith. by *McManus, *Lundberg, *Sexton.

House Resolution No. 291 -- Memorials, Interns - Ashley M. Collins. by *Bass.

House Joint Resolution No. 1067 -- Memorials, Recognition - Hales Community Ruritan, 30th anniversary. by *Hill.

House Joint Resolution No. 1068 -- Memorials, Interns - Rita Jorgensen. by *Hill.

House Joint Resolution No. 1069 -- Memorials, Interns - Breanna Pendilton. by *Hill, *Evans.

House Joint Resolution No. 1070 -- Memorials, Recognition - Nashville International Airport, 75th anniversary. by *Stewart.

House Joint Resolution No. 1071 -- Memorials, Death - Evert Jarrett. by *Hill, *Ford.

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House Joint Resolution No. 1072 -- Memorials, Recognition - "Undeclared," 2012 Academy Award for Best Documentary Feature. by *Miller L, *Camper, *Coley, *Shepard, *Richardson, *Kernell, *Todd, *DeBerry L, *Todd.

House Joint Resolution No. 1073 -- Memorials, Sports - Bethel University Roller Hockey Team, National Champions. by *Holt.

House Joint Resolution No. 1074 -- Memorials, Academic Achievement - Joshua Morgan Bland, Valedictorian, Portland High School. by *McDonald.

House Joint Resolution No. 1075 -- Memorials, Recognition - Larry Collins. by *McDonald.

House Joint Resolution No. 1076 -- Memorials, Academic Achievement - Nicklaus Wade Curtis, Salutatorian, Portland High School. by *McDonald.

House Joint Resolution No. 1077 -- Memorials, Academic Achievement - Rebekah Eryn Meyer, Salutatorian, Portland High School. by *McDonald.

House Joint Resolution No. 1078 -- Memorials, Academic Achievement - Jared Michael Rhoades, Salutatorian, White House High School. by *McDonald.

House Joint Resolution No. 1079 -- Memorials, Academic Achievement - Cameron Rhoades, Salutatorian, White House High School. by *McDonald.

House Joint Resolution No. 1080 -- Memorials, Academic Achievement - Tanner Lucas Nelson, Valedictorian, Portland High School. by *McDonald.

House Joint Resolution No. 1081 -- Memorials, Interns - Parker Thomas Brown. by *Maggart.

House Joint Resolution No. 1082 -- Memorials, Recognition - Paul Morris. by *Cooper B, *Towns.

House Joint Resolution No. 1083 -- Memorials, Recognition - Velma Lois Jones. by *Cooper B, *Towns.

House Joint Resolution No. 1084 -- Memorials, Public Service - Dr. Chandra Reddy. by *Cooper B, *Towns.

House Joint Resolution No. 1085 -- Memorials, Recognition - Dr. Kriner Cash, Memphis City Schools. by *Cooper B, *Towns.

House Joint Resolution No. 1086 -- Memorials, Academic Achievement - Diana Lockett, Salutatorian, Carver High School. by *Cooper B, *Towns.

House Joint Resolution No. 1087 -- Memorials, Academic Achievement - Pierra Johnson, Valedictorian, Carver High School. by *Cooper B, *Towns.

House Joint Resolution No. 1088 -- Memorials, Academic Achievement - Stephanie Jordan, Salutatorian, Mitchell High School. by *Cooper B, *Towns.

House Joint Resolution No. 1089 -- Memorials, Academic Achievement - Alexis Harper, Valedictorian, Mitchell High School. by *Cooper B, *Towns.

House Joint Resolution No. 1090 -- Memorials, Academic Achievement - Kelsey Anne Perry, Salutatorian, Millington Central High School. by *Cooper B, *Towns.

House Joint Resolution No. 1091 -- Memorials, Academic Achievement - Sara Marie Baltensperger, Valedictorian, Millington Central High School. by *Cooper B, *Towns.

Senate Joint Resolution No. 911 -- Memorials, Retirement - Susan Cooper, Commissioner of the Department of Health. by *Johnson.

Rep. Lundberg moved that all members voting aye on House Resolution No. 287 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

Rep. Gilmore moved that the Davidson County delegation be added as co-prime sponsors on House Joint Resolution No. 1070, which motion.

Rep. Favors moved that the Hamilton County delegation be added as co-prime sponsors on House Resolution No. 288, which motion prevailed.

Rep. B. Cooper moved that all members voting aye on House Joint Resolution No. 1084 be added as co-prime sponsors, with the Davidson County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

Rep. B. Cooper moved that all members voting aye on House Joint Resolution No. 1082 be added as co-prime sponsors, with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

Rep. B. Cooper moved that all members voting aye on House Joint Resolution No. 1083 be added as co-prime sponsors, with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

Rep. B. Cooper moved that all members voting aye on House Joint Resolution No. 1085 be added as co-prime sponsors, with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

Rep. B. Cooper moved that all members voting aye on House Joint Resolution No. 1086 be added as co-prime sponsors, with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

Rep. B. Cooper moved that all members voting aye on House Joint Resolution No. 1087 be added as co-prime sponsors, with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

Rep. B. Cooper moved that all members voting aye on House Joint Resolution No. 1088 be added as co-prime sponsors, with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

Rep. B. Cooper moved that all members voting aye on House Joint Resolution No. 1089 be added as co-prime sponsors, with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

Rep. B. Cooper moved that all members voting aye on House Joint Resolution No. 1090 be added as co-prime sponsors, with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

Rep. B. Cooper moved that all members voting aye on House Joint Resolution No. 1091 be added as co-prime sponsors, with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

Rep. Fitzhugh moved that all members voting aye on Senate Joint Resolution No. 911 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

Rep. L. Miller moved that all members voting aye on House Joint Resolution No. 1072 be added as co-prime sponsors, with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar No. 2 be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar No. 2 be concurred in, which motion prevailed by the following vote:

Ayes	99
Noes	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L,

Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 3459 -- Business Organizations - As introduced, revises the Tennessee Business Corporation Act. - Amends TCA Title 48. by *Dennis, *Eldridge. (*SB3070 by *Johnson, *Ketron)

Further consideration of House Bill No. 3459 previously considered on April 24, 2012, at which time the House adopted Amendment(s) No(s). 1 and 2, tabled Amendment(s) No(s). 3 and 4 and it was reset to today's Regular Calendar.

Rep. Dennis moved that **House Bill No. 3459**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Pitts, Pody, Powers, Pruitt, Ragan, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

Senate Bill No. 3061 -- Emergency Communications Districts - As introduced, defines "Public Safety Answering Point" or "PSAP" to mean a facility that receives 911 calls and routes them to emergency services personnel. - Amends TCA Section 7-86-103. by *Yager. (*HB2601 by *Sparks)

Further consideration of Senate Bill No. 3061 previously considered on April 24, 2012, at which time the House substituted the Senate Bill for the House Bill and it was reset for today's Regular Calendar.

Rep. Sparks moved that **Senate Bill No. 3061** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 99
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

A motion to reconsider was tabled.

Senate Bill No. 3786 -- Rutherford County - As introduced, subject to local approval, removes requirement that persons be issued wheel tax decals for display on license plates as evidence of having paid such tax. - Amends Chapter 329 of the Private Acts of 1970; as amended. by *Tracy, *Ketron. (*HB3855 by *Sparks, *Womick, *Carr)

Further consideration of Senate Bill No. 3786 previously considered on April 24, 2012, at which time the House substituted the Senate Bill for the House Bill, adopted Amendment(s) No(s). 1 and it was reset for today's Regular Calendar.

BILL HELD ON DESK

Rep. Sparks moved that Senate Bill No. 3786 be held on the Clerk's desk, which motion prevailed.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1944** -- Education, Dept. of - As introduced, requires department to utilize scale of 100% when reporting progress in the Tennessee report card for schools beginning with the report for the 2012-2013 school year. - Amends TCA Title 49. by *Towns, *Hardaway, *Cooper B, *Parkinson. (SB1631 by *Marrero, *Harper)

Further consideration of House Bill No. 1944 previously considered on April 24, 2012, at which time it was reset for today's Regular Calendar.

On motion, House Bill No. 1944 was made to conform with **Senate Bill No. 1631**; the Senate Bill was substituted for the House Bill.

Rep. Towns moved that Senate Bill No. 1631 be passed on third and final consideration.

Rep. Montgomery moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

THURSDAY, APRIL 26, 2012 – EIGHTIETH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Towns moved that **Senate Bill No. 1631** be passed on third and final consideration, which motion failed by the following vote:

Ayes	49
Noes.....	44
Present and not voting.....	3

Representatives voting aye were: Armstrong, Bass, Brooks K, Brown, Campbell, Camper, Coley, Cooper, Curtiss, DeBerry L, Favors, Fitzhugh, Gilmore, Hall, Hardaway, Harrison, Jones, Kernell, Lundberg, Matheny, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Odom, Parkinson, Pitts, Pruitt, Ramsey, Richardson, Sargent, Shaw, Shepard, Sontany, Sparks, Stewart, Tidwell, Tindell, Towns, Turner J, Turner M, Williams K, Windle, Womick, Madam Speaker Harwell -- 49

Representatives voting no were: Alexander, Butt, Carr, Casada, Cobb, Dean, Dennis, Elam, Eldridge, Floyd, Ford, Forgety, Gotto, Halford, Harmon, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Maggart, Marsh, Matlock, Niceley, Pody, Powers, Ragan, Rich, Roach, Sanderson, Sexton, Shipley, Swann, Todd, Watson, Weaver, White, Williams R, Wirgau -- 44

Representatives present and not voting were: DeBerry J, Faison, McCormick -- 3

Senate Bill No. 1631, having failed to receive a constitutional majority, was thereby referred to the Committee on Calendar and Rules.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on **Senate Bill No. 1631** and have this statement entered in the Journal: Rep(s). Womick.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **House Bill No. 3459** and have this statement entered in the Journal: Rep(s). Ramsey and Sparks.

REGULAR CALENDAR, CONTINUED

***Senate Joint Resolution No. 710** -- Constitutional Amendments - As introduced, proposes an amendment to Article VI, Section 3 in order to constitutionally enshrine a system for selection of each appellate court judge by means of merit-based gubernatorial appointment with legislative confirmation and, thereafter, contingent upon a satisfactory job performance evaluation, retention election by the voters of the state. by *Kelsey, *Bell, *Beavers.

Senate Joint Resolution No. 710 was previously considered on April 23, 2012 and April 24, 2012, for the first two Constitutional readings.

Rep. Lundberg requested that the Clerk read Senate Joint Resolution No. 710 for the third and final Constitutional reading, as prescribed by the Constitution of the State of Tennessee.

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The Clerk read Senate Joint Resolution No. 710.

Rep. Lundberg moved that the House concur in **Senate Joint Resolution No. 710**, which motion prevailed by the following vote:

Ayes	70
Noes.....	27
Present and not voting.....	1

Representatives voting aye were: Alexander, Armstrong, Brooks H, Brooks K, Butt, Campbell, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Evans, Fitzhugh, Ford, Forgety, Gotto, Harrison, Hawk, Haynes, Hill, Johnson P, Jones, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Odom, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sargent, Sexton, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Wirgau, Madam Speaker Harwell -- 70

Representatives voting no were: Bass, Carr, Cooper, DeBerry L, Eldridge, Faison, Favors, Floyd, Gilmore, Halford, Hall, Hardaway, Harmon, Hensley, Holt, Hurley, Johnson C, Keisling, Kernell, Naifeh, Niceley, Parkinson, Pitts, Sanderson, Shaw, Windle, Womick -- 27

Representatives present and not voting were: Brown -- 1

Senate Joint Resolution No. 710, having been read three separate times on three separate days, received a vote in the affirmative by a majority of the members elected to the Tennessee House of Representatives of the One Hundred Seventh General Assembly and was declared concurred in pursuant to Article XI, Section 3 of the Constitution of the State of Tennessee.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “no” on **Senate Joint Resolution No. 710** and have this statement entered in the Journal: Rep(s). Camper.

REGULAR CALENDAR, CONTINUED

Senate Bill No. 1688 -- Schools, Charter - As introduced, requires public charter school's annual renewal application to include the number of students who attended the school in the most recently completed academic year and the schools that those students attended prior to enrolling at the charter school. - Amends TCA Title 49. by *Faulk, *McNally, *Overbey. (*HB1970 by *Swann, *Hardaway, *Towns, *Fitzhugh, *Montgomery, *Richardson, *Cooper B, *White)

Further consideration of Senate Bill No. 1688 previously considered on April 11, 2012, at which time the House substituted the Senate Bill for the House Bill, withdrew Amendment(s) No(s). 1 and 2 and it was reset for today's Regular Calendar.

Rep. Swann moved that Senate Bill No. 1688 be passed on third and final consideration.

Rep. M. Turner moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. M. Turner moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. M. Turner requested that Amendment No. 5 be moved to the heel.

Rep. M. Turner requested that Amendment No. 6 be moved to the heel.

Rep. Swann requested that Amendment No. 7 be moved to the heel.

Rep. Swann requested that Amendment No. 8 be moved to the heel.

Rep. Swann moved adoption of Amendment No. 9 as follows:

Amendment No. 9

AMEND Senate Bill No. 1688 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-1-201(d), is amended by redesignating subdivision (2) as subdivision (5) and by deleting subdivision (1) in its entirety and substituting instead the following:

(1) Subdivisions (1), (2), (3) and (4) of this subsection shall be known as and may be cited as "The Public School Achievement Flexibility Act".

(2) Upon application by an LEA for one (1) or more of its schools, the commissioner of education may waive any state board rule or statute that inhibits or hinders the LEA's ability to meet its goals or comply with its mission. The commissioner may not waive regulatory or statutory requirements related to:

(A) Federal and state civil rights;

(B) Federal, state and local health and safety;

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- (C) Federal and state public records;
- (D) Immunizations;
- (E) Possession of weapons on school grounds;
- (F) Background checks and fingerprinting of personnel;
- (G) Federal and state special education services;
- (H) Student due process;
- (I) Parental rights;
- (J) Federal and state student assessment and accountability; and
- (K) Open meetings.

(3) A school for which the commissioner has granted flexibility in operation may establish its own educational model and operate in any manner that the local board and the school's management team agree shall sustain and increase student performance. Each school shall be allowed to innovate and experiment and to challenge existing teaching methodologies with the goal of enhancing student performance.

(4)

(A) The application shall be submitted to the commissioner by the LEA by January 1 and shall include:

(i) State board of education rules or statutes the LEA seeks to waive;

(ii) A plan to improve school or district performance through the waiver; and

(iii) The projected impact the waiver will have on school or district performance, including measurable annual goals.

(B) Upon granting the waiver, the commissioner shall monitor the performance of the LEA and the school or schools who receive a waiver to determine if the annual goals are met. The commissioner may suspend the waiver at any time if the LEA fails to improve performance and meet annual goals.

(C) The commissioner shall approve or deny the application by March 31. The waiver shall be effective for the first school year beginning immediately following the grant of the waiver and shall continue to be effective until the date specified by

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the commissioner. If the commissioner does not specify a date on which the waiver ends, then the waiver shall continue until suspended by the commissioner.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Casada moved that Amendment No. 9 be tabled, which motion prevailed by the following vote:

Ayes	76
Noes.....	15
Present and not voting.....	5

Representatives voting aye were: Bass, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, DeBerry J, Dennis, Elam, Eldridge, Evans, Faison, Favors, Floyd, Ford, Gilmore, Gotto, Halford, Hall, Harmon, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Jones, Keisling, Kernell, Lundberg, Marsh, Matheny, Matlock, McDaniel, McDonald, McManus, Miller D, Miller L, Moore, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams R, Windle, Wirgau -- 76

Representatives voting no were: Alexander, Armstrong, Brooks H, Brown, DeBerry L, Forgety, Hardaway, Harrison, Johnson P, Maggart, Montgomery, Naifeh, Ragan, Williams K, Madam Speaker Harwell -- 15

Representatives present and not voting were: Brooks K, Dean, Lollar, McCormick, Womick -- 5

Rep. M. Turner moved adoption of Amendment No. 5 as follows:

Amendment No. 5

AMEND Senate Bill No. 1688 By deleting the words "or statute" and the words "or statutory" in the amendatory language of subdivision (2)(A) of Section 1.

AND FURTHER AMEND by deleting subdivision (2)(B) of Section 1 in its entirety.

Rep. Swann requested that Senate Bill No. 1688 be moved to the heel of the Calendar.

MOTION TO RECONSIDER

Senate Bill No. 1197 -- Courts - As introduced, allows any person who provides satisfactory proof that such person graduated from a court reporting program prior to January 1, 2010, to be licensed to practice as a court reporter. - Amends TCA Title 20, Chapter 9, Part 6. by *Yager. (*HB827 by *Hurley)

Rep. Hurley moved to lift from the table the motion to reconsider action in passing Senate Bill No. 1197, which motion prevailed.

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Rep. Hurley moved to reconsider action in passing Senate bill No. 1197, which motion prevailed.

Rep. Hurley moved that Senate Bill No. 1197, as amended, be passed on third and final consideration.

Rep. Hurley moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1197 by deleting the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 20-9-613, is amended by adding the following as a new subsection thereto:

(d) On or before October 1, 2012, any person who provides satisfactory proof that such person graduated from a court reporting program in this state prior to January 1, 2012, shall be licensed to practice as a court reporter.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

Rep. Fitzhugh moved the previous question, which motion prevailed.

Rep. Hurley moved that **Senate Bill No. 1197**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 87

Noes..... 9

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Eldridge, Evans, Faison, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Naifeh, Niceley, Parkinson, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 87

Representatives voting no were: Cooper, Elam, Favors, Hardaway, Harmon, McDonald, Moore, Pitts, Turner J -- 9

A motion to reconsider was tabled.

***House Bill No. 3576** -- Education, Higher - As introduced, prohibits certain colleges and universities in this state from denying recognition, privileges or benefits to a student organization or group on the basis of religious content of the organization's or group's speech or the manner in which the organization or group determines its organizational affairs. - Amends TCA Title 49. by *Pody, *Powers. (SB3597 by *Beavers, *Gresham, *Roberts, *Bell)

Rep. Pody moved that House Bill No. 3576 be passed on third and final consideration.

Rep. Montgomery moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3576 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following language as a new section:

49-7-150.

(a) No state higher education institution that grants recognition to any student organization shall discriminate against, deny recognition to, or deny equal access to programs, funding, or facilities for any student organization on the basis of the religious content of the organization's speech including, but not limited to worship.

(b) A religious student organization may determine that the organization's religious mission requires that only persons professing the faith of the group and comporting themselves in conformity with it qualify to serve as members or leaders.

(c) No state higher education institution shall deny recognition or any privilege or benefit to a student organization or group that exercises its rights pursuant to subsection (b).

(d) As used in this section, "state higher education institution" means any higher education institution governed by chapter 8 or 9 of this title.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Dunn moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 3576 by deleting all language after the enacting clause and by substituting instead the following:

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SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following language as a new section:

49-7-150.

(a) No state higher education institution that grants recognition to any student organization shall discriminate against or deny recognition to a student organization, or deny to a student organization access to programs, funding, or facilities otherwise available to another student organization, on the basis of:

(1) The religious content of the organization's speech including, but not limited to, worship; or

(2) The organization's exercise of its rights pursuant to subsection (b).

(b) A religious student organization may determine that the organization's religious mission requires that only persons professing the faith of the group and comporting themselves in conformity with it qualify to serve as members or leaders.

(c) As used in this section, "state higher education institution" means:

(1) Any higher education institution governed by chapter 8 or 9 of this title; or

(2) Any private higher education institution that receives payments from state funds derived directly from state tax revenues that annually total more than twenty-four million dollars (\$24,000,000).

(d) Any private higher education institution that receives payments from state funds derived directly from state tax revenues that annually total more than twenty-four million dollars (\$24,000,000) may adopt a policy that denies recognition to religious student organizations because they maintain leadership or membership criteria based on religious beliefs, but solely on the condition that:

(1) The institution requires every recognized student organization, including organizations described in 20 U.S.C. § 1681 (a)(6)(A) (also known as "Title IX"), to accept as members all students who apply to be members; and

(2) The institution does not allow any recognized student organization, including organizations described in 20 U.S.C. § 1681 (a)(6)(A) (also known as "Title IX"), to set a numerical limit on membership or to use subjective qualifications for choosing its members.

(e) This section does not apply to any religious school, college, university, or other educational institution or institution of learning described in 42 U.S.C. § 2000e-2(e)(2).

SECTION 2. Subdivision (c)(2) and subsections (d) and (e) of Section 1 of this act are repealed June 30, 2013.

SECTION 3. This act shall take effect July 1, 2012, the public welfare requiring it.

Rep. Montgomery moved that Amendment No. 2 be tabled, which motion failed by the following vote:

Ayes	39
Noes	53

Representatives voting aye were: Armstrong, Bass, Brown, Camper, Cooper, DeBerry L, Elam, Favors, Fitzhugh, Ford, Forgety, Gilmore, Hardaway, Harmon, Jones, Kernell, Marsh, McCormick, McDaniel, McDonald, Miller L, Montgomery, Moore, Naifeh, Parkinson, Pitts, Pruitt, Ramsey, Richardson, Shaw, Shepard, Stewart, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Madam Speaker Harwell -- 39

Representatives voting no were: Alexander, Brooks H, Butt, Campbell, Carr, Casada, Cobb, Coley, Dean, Dennis, Dunn, Eldridge, Evans, Faison, Floyd, Gotto, Halford, Hall, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Matheny, Matlock, McManus, Miller D, Pody, Powers, Ragan, Rich, Roach, Sanderson, Sexton, Shipley, Sontany, Sparks, Swann, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick -- 53

Rep. Pody requested that House Bill No. 3576 be moved to the heel of Regular Calendar No. 2.

RECESS MOTION

Rep. McCormick moved that the House stand in recess until 11:30 a.m., today, which motion prevailed.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 297 Rep(s). Rich as prime sponsor(s).

House Joint Resolution No. 1103 Rep(s). Keisling as prime sponsor(s).

House Joint Resolution No. 1104 Rep(s). Keisling as prime sponsor(s).

House Joint Resolution No. 1105 Rep(s). Keisling as prime sponsor(s).

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House Joint Resolution No. 1106 Rep(s). Keisling as prime sponsor(s).

House Joint Resolution No. 1130 Rep(s). Armstrong and Montgomery as prime sponsor(s).

House Joint Resolution No. 1133 Rep(s). Evans and Rich as prime sponsor(s).

RECESS EXPIRED

The recess having expired, the House was called to order by Madam Speaker Harwell.

ROLL CALL DISPENSED WITH

On motion of Rep. McCormick, the roll call was dispensed with.

SPECIAL ORDER

Without objection, Rep. McCormick moved the House take up the Appropriations Calendar out of order at this time.

RECESS MOTION

Rep. McCormick moved that the House stand in recess until 1:00 p.m., today, which motion prevailed.

RECESS EXPIRED

The recess having expired, the House was called to order by Madam Speaker Harwell.

ROLL CALL DISPENSED WITH

On motion of Rep. McCormick, the roll call was dispensed with.

APPROPRIATIONS CALENDAR

***House Bill No. 3839** -- Public Funds and Financing - As introduced, specifies that provision whereby a supplement must be provided by the state each year to counties for the improvement of juvenile court services is contingent upon funding; removes Taft Youth Center in provision regarding appointment of dentist to provide service at certain institutions. - Amends TCA Title 4; Title 5; Title 6; Title 8; Title 9; Title 10; Title 11; Title 12; Title 13; Title 16; Title 17; Title 18; Title 29; Title 33; Title 37; Title 38; Title 39; Title 40; Title 41; Title 43; Title 45; Title 47; Title 48; Title 49; Title 50; Title 53; Title 54; Title 55; Title 56; Title 57; Title 58; Title 59; Title 60; Title 62; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 69; Title 70 and Title 7. by *Sargent, *McCormick. (SB3771 by *Norris)

Rep. Sargent moved that House Bill No. 3839 be passed on third and final consideration.

Rep. C. Johnson moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3839

ADMINISTRATION AMENDMENT TO BUDGET RECONCILIATION BILL

by deleting all language after the enacting clause and substituting the following:

JUVENILE COURT SUPPLEMENT

SECTION 1. Tennessee Code Annotated, Section 37-1-161(a), is amended by deleting paragraph (a) in its entirety and inserting in lieu thereof the following:

(a) There is hereby established a reimbursement account, which shall be comprised of such amount of federal funds as are set aside by the commission on children and youth from the state's allocation under the Juvenile Justice and Delinquency Prevention Act formula grant funds and of state funds, if funds for such purpose are appropriated in the general appropriations act. The reimbursement account shall be used to provide financial assistance to counties for removing children from adult jails.

SECTION 2. Tennessee Code Annotated, Section 37-1-162, is amended by deleting it in its entirety and substituting in lieu thereof the following:

(a) A supplement shall be provided by the state each year to counties for the improvement of juvenile court services. Such supplements shall be administered by the department of children's services and distributed by the department to participating counties. Where more than one (1) court exercises juvenile court jurisdiction within a single county, each court shall receive an equitable share of the county's allocation, as determined by percentage of juvenile court intakes

or some other appropriate measure. Each court accepting such funds shall employ a youth services officer to be appointed and supervised by the court.

(b) The department shall establish policies regarding application and reporting procedures, adequate minimum educational requirements for youth services officers, and permissible uses of funds received under this section, including, but not limited to, requirements that such funds shall not be used to supplant funds formerly used by counties for juvenile court services, to pay salaries or personal expenses of juvenile court judges, or to construct or remodel jails or other facilities used for the detention or housing of adults alleged to have committed or been convicted of criminal offenses.

DENTIST AT TAFT YOUTH CENTER AND OTHER INSTITUTIONS

SECTION 3. Tennessee Code Annotated, Section 4-6-110, is amended by:

(a) deleting the following language:

mental health facilities, the James M. Taft Youth Center, the Spencer Youth Center, the Tennessee Vocational School for Girls, the state penitentiary, and the Brushy Mountain state penitentiary

and by substituting instead the language "state prisons";

(b) deleting the language "patients or"; and

(c) adding the following sentence at the end of the section:

Such appointment may be by employment in the department or by contract for services.

STATE SALES TAX APPORTIONMENT – INCREASE TO CITIES FUND

SECTION 4. Tennessee Code Annotated, Section 67-6-103(a)(1), is amended by deleting the language "Twenty-nine and two hundred forty-six ten-thousandths percent (29.0246%)" and by substituting instead the language "Twenty-nine and one hundred forty-one ten-thousandths percent (29.0141%)".

SECTION 5. Tennessee Code Annotated, Section 67-6-103(a)(3), is amended by deleting the language "Four and five thousand nine hundred twenty-five ten-thousandths percent (4.5925%)" each place that it appears and by substituting instead the language "Four and six thousand thirty ten-thousandths percent (4.6030%)" in each place.

CAPITAL BUDGET – BUDGET AND APPROPRIATIONS BILL

SECTION 6. Tennessee Code Annotated, Section 9-4-5106, is amended by inserting the following as a new paragraph (b):

(b) The capital budget, to be included in part 3 of the budget document, shall contain funding for all capital outlay. Funding for all capital improvement projects of whatever amount and funding for each capital maintenance project of one million dollars (\$1,000,000) or more shall be specified by project, by affected spending agency, and by funding sources, including state current funds, bonds, and other revenue. Funding for each capital maintenance project of less than one million dollars (\$1,000,000) shall be specified in such detail in the budget document as the Governor shall determine.

SECTION 7. Tennessee Code Annotated, Section 9-4-5108, is amended by deleting paragraph (b) in its entirety and inserting the following new paragraph (b):

(b) Appropriations for capital improvement and capital maintenance projects shall be specified by state agency in lump sums consistent with capital improvement and maintenance projects detailed in the budget document.

EFFECTIVE DATE OF JULY 1, 2012

SECTION 8. This act shall take effect on July 1, 2012, the public welfare requiring it.

AND FURTHER AMEND by requesting that the engrossing clerk:

- (1) delete the bold underlined explanatory headings in this amendment;
- (2) and exclude this paragraph from the engrossed bill.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Fitzhugh moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 3839 by deleting Section 8 and by substituting instead the following language:

FOOD RETAIL SALES TAX REDUCTION

SECTION 8. Tennessee Code Annotated, Section 67-4-228(a), is amended by deleting the language "five and one quarter percent (5.25%) of the sales price" and by substituting instead the language "five percent (5%) of the sales price".

EFFECTIVE DATE

SECTION 9. Section 8 of this act shall take effect July 2, 2012, the public welfare requiring it. All other sections of this act shall take effect on July 1, 2012, the public welfare requiring it.

Rep. Sargent moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes 62
Noes 33

Representatives voting aye were: Alexander, Brooks H, Butt, Campbell, Carr, Cobb, Coley, Dean, Dennis, Dunn, Elam, Eldridge, Faison, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Todd, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 62

Representatives voting no were: Armstrong, Bass, Brown, Camper, Cooper, Curtiss, DeBerry J, DeBerry L, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Jones, Kernell, McDonald, Miller L, Moore, Naifeh, Odom, Parkinson, Pitts, Pruitt, Richardson, Shaw, Shepard, Sontany, Stewart, Tidwell, Towns, Turner J, Turner M, Windle -- 33

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on Amendment No. 2 to **House Bill No. 3839** and have this statement entered in the Journal: Rep(s). Casada.

APPROPRIATIONS CALENDAR, CONTINUED

Rep. Sargent moved that **House Bill No. 3839**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 70
Noes 26

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Parkinson, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Tidwell, Todd, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 70

Representatives voting no were: Armstrong, Bass, Brown, Camper, Cooper, Favors, Fitzhugh, Hardaway, Harmon, Jones, Kernell, McDonald, Miller L, Moore, Odom, Pitts, Pruitt, Richardson, Shaw, Shepard, Sontany, Stewart, Towns, Turner J, Turner M, Windle -- 26

A motion to reconsider was tabled.

***House Bill No. 3835** -- Appropriations - As introduced, makes appropriations for fiscal years beginning July 1, 2011, and July 1, 2012. by *Sargent, *McCormick. (SB3768 by *Norris)

Rep. Sargent moved that House Bill No. 3835 be passed on third and final consideration.

Rep. Harrison requested that Finance, Ways and Means Committee Amendment No. 1 be moved to the heel.

Rep. Harrison moved adoption of Finance, Ways and Means Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 3835

ADMINISTRATION AMENDMENT

2011-2012 SUPPLEMENTAL APPROPRIATIONS

by deleting the following language from Section 38 of the printed bill:

Commerce and Insurance		
1.	Administration – Interdepartmental Revenue Loss – Regulatory Boards Indirect Costs	\$ 3,382,500.00
Revenue		
1.	Tax Refund Interest Expense – Accounting Change\$	2,500,000.00
TOTAL.....		\$ 147,909,500.00

and by substituting instead:

Commerce and Insurance		
1.	Administration – Interdepartmental Revenue Loss – Regulatory Boards Indirect Costs	\$ 1,280,200.00
Revenue		
1.	Tax Refund Interest Expense – Accounting Change\$	2,500,000.00
2.	Sales Tax Disaster Relief	525,000.00
Total Revenue		\$ 3,025,000.00
TOTAL.....		\$ 146,332,200.00

Provided further that the line item appropriation in the amount of \$525,000.00 relative to Department of Revenue, Sales Tax Disaster Relief, may be increased by a sum sufficient to provide such relief as authorized by Senate Bill 2701 / House Bill 2889, if it becomes a law.

From the appropriation to the Department of Economic and Community Development in the amount of \$34,000,000 for headquarters relocation assistance, it is the legislative intent to make the following allocations to the Volkswagen Project: (a) \$19,110,000 for site preparation and infrastructure; (b) \$684,000 to FastTrack Infrastructure and Job Training Assistance for training a third shift; and (c) \$371,000 to Business Development for recruitment purposes.

The appropriations to the Department of Mental Health and to the Department of Economic and Community Development, including allocations to the Volkswagen Project, shall not revert to the general fund at June 30, 2012, and are hereby reappropriated in the fiscal year beginning July 1, 2012.

AND FURTHER AMEND in Section 41 of the printed bill by inserting a new item as follows:

Item ___. In the fiscal year ending June 30, 2012, there hereby is appropriated the sum of \$1,400,000 (non-recurring) to Loan/Scholarships Programs for the graduate nursing loan forgiveness program. The appropriation is intended to reinstate a non-recurring appropriation that reverted to the general fund balance. Pursuant to Tennessee Code Annotated, Section 49-4-702(d), this appropriation shall not revert to the general fund.

AND FURTHER AMEND in Section 48 of the printed bill by inserting the following items:

Item ___. In the fiscal year ending June 30, 2012, there hereby is reappropriated from the TennCare reserve the sum of \$58,700,000 (non-recurring) to the TennCare program for pharmacy costs and Medicare crossover payments. The Commissioner of Finance and Administration is authorized to adjust federal aid and other departmental revenue accordingly.

Item ___. In the fiscal year ending June 30, 2013, there hereby is reappropriated from the TennCare reserve the sum of \$65,000,000 (non-recurring) to the TennCare program for pharmacy costs and Medicare crossover payments. The Commissioner of Finance and Administration is authorized to adjust federal aid and other departmental revenue accordingly.

AND FURTHER AMEND by inserting a new section, to follow Section 70 of this amendment, to read as follows:

SECTION 71. Supplemental Appropriation for Land Acquisition. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. In the fiscal year ending June 30, 2012, it is the legislative intent to recognize a contingency appropriation in the amount of \$8,800,000 for land acquisition made under the provisions of Section 75 in Chapter 473, Public Acts of 2011. Funding for the appropriation is identified in the 2012-2013 budget document on page A-10 (\$8,500,000) and in the administration budget

amendment overview (\$300,000). Any unexpended balance of the appropriation at June 30, 2012, is hereby reappropriated to be expended in the 2012-2013 fiscal year for the purpose stated in Section 75 of Chapter 473, Public Acts of 2011.

2012-2013 ITEMS AFFECTING REVENUE AVAILABILITY

AND FURTHER AMEND by deleting in its entirety Item 9 in Section 43 of the printed bill and substituting instead the following:

Item 9. Pursuant to Tennessee Code Annotated, Section 67-6-103(k) there is apportioned from the general fund share of the sales and use tax into cities and counties state shared taxes for the County Revenue Partnership Fund the sum of \$400,000 in the fiscal year ending June 30, 2012 and the sum of \$1,000,000 in the fiscal year ending June 30, 2013.

It is the legislative intent that \$600,000 of the \$1,000,000 apportionment is for the purpose of funding the state share of the mandated local cost of Senate Bill 2251 / House Bill 2389, relative to domestic violence, if that bill becomes a law. If that bill does not become a law, then the apportionment to the County Revenue Partnership Fund in the year ending June 30, 2013, shall be \$400,000.

AND FURTHER AMEND by deleting the following language from Title III-31 in Section 1 of the printed bill:

4. Amortization of Authorized and Unissued Construction Bonds	88,450,000.00
Total Title III-31	\$ 436,460,000.00

and by substituting instead the following:

4. Amortization of Authorized and Unissued Construction Bonds	84,750,000.00
Total Title III-31	\$ 432,760,000.00

CERTAIN SECTION 1 AND 4 AMENDMENTS

AND FURTHER AMEND by deleting the following language from Title III-22 in Section 1 of the printed bill:

13. State Employees 2.5% Salary Increase.....	36,000,000.00
27. Severance Benefit Plan	2,900,000.00
33. Temporary Office Space.....	6,000,000.00
Total Title III-22.....	\$ 139,085,300.00

and by substituting instead the following:

THURSDAY, APRIL 26, 2012 – EIGHTIETH LEGISLATIVE DAY UNOFFICIAL VERSION

13.	State Employees 2.5% Salary Increase.....	35,500,000.00
27.	Severance Benefit Plan	2,100,000.00
33.	Temporary Office Space.....	11,400,000.00
34.	OIR – Mainframe Outsourcing	3,700,000.00
	Total Title III-22.....	\$ 146,885,300.00

AND FURTHER AMEND in Section 1 of the printed bill by deleting in its entirety Title III-14 and by substituting instead the following:

14.	Department of Mental Health	
1.	Administration	
1.1	Administrative Services Division	\$ 13,653,000.00
	Total Administration	\$ 13,653,000.00
2.	Mental Health Services	
2.1	Middle Tennessee Mental Health Institute	\$ 27,250,000.00
2.2	Western Mental Health Institute	19,656,700.00
2.3	Moccasin Bend Mental Health Institute	16,379,800.00
2.4	Memphis Mental Health Institute	17,110,000.00
2.5	Community Mental Health Services	72,854,100.00
2.6	Major Maintenance	450,000.00
	Total Mental Health Services	\$ 153,700,600.00
3.	Alcohol and Drug Abuse Services	
3.1	Community Alcohol and Drug Abuse Services.....	\$ 17,190,600.00
	Total Alcohol and Drug Abuse Services.....	\$ 17,190,600.00
	Total Title III-14.....	\$ 184,544,200.00

AND FURTHER AMEND in Section 4 of the printed bill by deleting in its entirety Title III-14 and by substituting instead the following:

14.	Department of Mental Health	
1.	Administration	
1.1	Administrative Services Division	\$ 4,731,400.00
	Total Administration	\$ 4,731,400.00
2.	Mental Health Services	
2.1	Community Mental Health Services	\$ 18,300,400.00
2.2	Middle Tennessee Mental Health Institute	14,890,200.00
2.3	Western Mental Health Institute	13,823,500.00
2.4	Moccasin Bend Mental Health Institute	11,467,600.00
2.5	Memphis Mental Health Institute	4,094,900.00
	Total Mental Health Services	\$ 62,576,600.00
3.	Alcohol and Drug Abuse Services	

3.1	Community Alcohol and Drug Abuse Services..	\$ 35,255,800.00
	Total Alcohol and Drug Abuse Services....	\$ 35,255,800.00
	Total Title III-14.....	\$ 102,563,800.00

AND FURTHER AMEND the printed bill by inserting the following new paragraphs immediately after the introductory paragraph of Section 64 and by inserting the following additional sections immediately after Section 64 as amended and renumbering subsequent sections of the printed bill accordingly:

LEGISLATION RECONCILIATION

Provided that the negative amounts in line-items of this section are appropriation reductions or deletions and the positive amounts are appropriation increases. Federal and other departmental revenue adjustments may be made as indicated in the text of the line items or in reconciliation to fiscal notes and to available federal aid. Adjustments to the number of authorized positions indicated in the line items as full-time (FT) and part-time (PT) shall be reconciled to the fiscal notes.

Provided further that the term fiscal note in this item refers to the final fiscal note on the bill as enacted.

Provided further that the line item appropriation in Item 1 for Senate Bill (SB) 2701 / House Bill (HB) 2889, relative to Department of Revenue, Sales Tax Disaster Relief, may be increased by a sum sufficient to provide such relief as authorized by the bill, if it becomes a law, notwithstanding contrary provisions of this section regarding reconciliation to the fiscal note on the enacted bill.

Item 1. General Fund and Education Fund Appropriations. The following appropriations are from the general fund and education fund, as applicable.

		Recurring	Non-Recurring
1.	Misc. Approp. - Administration Legislation - Delete	\$ (2,000,000)	\$ 0
2.	SB 884 / HB 984 - Labor & WFD - Unemployment Benefits for Military Spouses – Reduce	(1,200)	0
3.	SB 2199 / HB 2337 - Children's Services - Transitioning Youth Empowerment Act (\$4,800 Federal)	1,900	0
4.	SB 2210 / HB 2348 - Education - BEP Class Size and Salary Component Change – Delete	(795,000)	0
5.	SB 2233 / HB 2371 - Dept. of Revenue - E-Filing	0	0
6.	SB 2246 / HB 2384 - Civil Service Reform	0	0
7.	SB 2249 / HB 2387 - Boards and Commissions - Net Reduction	(247,400)	0
8.	SB 2250 / HB 2388 - Correction - Felons with	4,900	0

		<u>Recurring</u>	<u>Non- Recurring</u>
	Firearms - Incarceration		
9.	SB 2251 / HB 2389 - Correction - Domestic Violence – Delete – Replaced by \$600,000 State-Shared Revenue to Counties	(780,000)	0
10.	SB 2251 / HB 2389 - Correction - Domestic Violence – Incarceration - Delete	(868,200)	0
11.	SB 2252 / HB 2390 - Correction - Gang Related Crime - Incarceration - Reduce	(1,913,900)	0
12.	SB 2253 / HB 2391 - Health - Prescription Drug Bill - Controlled Substance Monitoring Database	230,300	0
13.	SB 2253 / HB 2391 - Mental Health - Prescription Drug Bill - Controlled Substance Monitoring Database (\$281,700 Federal)	0	0
14.	SB 2253 / HB 2391 - Correction - Prescription Drug Bill - Incarceration	29,100	0
15.	SB 2280 / HB 2286 - Correction - Imitation Controlled Substances - Incarceration	86,100	0
16.	SB 2701 / HB 2889 - Revenue Dept. - Sales Tax Disaster Relief	250,000	0
17.	SB 2809 / HB 2613 - Higher Education - TBR - Dual Credit Courses	150,000	300,000
18.	SB 3018 / HB 3175 - Correction - Controlled Substance Analogue - Incarceration	236,100	0
19.	SB 3070 / HB 3459 – Secretary of State - Model Business Corporation Act - Computer Programming (\$400 Departmental Revenue)	0	59,500
20.	SB 3620 / HB 3727 - Envir. & Cons. - Bicentennial Mall - Andrea Conte Walking Path - Signs	0	6,000
21.	SB 3658 / HB 3431 - Labor & WFD -Unemployment Insurance Benefits - Effort to Secure Work	0	122,000
22.	SB 3659 / HB 3429 - Labor & WFD - Unemployment Insurance - Internet-Based Electronic Notices (1 FT, 5 PT)	115,500	0
	Total	<u>\$ (5,501,800)</u>	<u>\$ 487,500</u>

Item 2. Dedicated Source and Earmarked Appropriations. The following appropriations are from dedicated state revenue sources and departmental revenues. The appropriation line item below for Senate Joint Resolution (SJR) 353, relative to naming a building at McGhee Tyson Air Guard Base, is from federal sources, and the appropriation for that line item shall take effect upon becoming law, the public welfare requiring it.

	<u>Recurring</u>
1. SB 2247 / HB 2385 - Tennessee Regulatory Authority (5 Part-Time Directors, 1 FT Exec. Dir., -3 FT)	\$ (199,700)
2. SB 2249 / HB 2387 - Boards and Commissions - Net Reduction	(1,200)
3. SB 3094 / HB 3373 - Transportation - S.R. 385 in Shelby & Fayette Counties - Gov. Dunn Parkway - Signs (Highway Fund Earmark)	300
4. SJR 353 - Military - McGhee Tyson Air Guard Base - Building Named for Maj. Gen. Frederick H. Forster (Federal Funds Earmark)	10,500
Total	<u>\$ (190,100)</u>

OTHER ADDITIONS TO BUDGET

SECTION 65. Mortgage Servicer Settlement Agreement.

Item 1. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. The provisions of this section are contingent upon the state's receipt of funds from the national mortgage servicer settlement agreement(s) or consent judgments approved by the U.S. District Court in April 2012. There hereby is appropriated such sums as may be received from this source.

Item 2. The Commissioner of Finance and Administration is authorized to recognize the national mortgage servicer settlement revenue and allot the appropriations or allocate the funds in the manner required by generally accepted accounting principles; and such allotments and allocations shall be made for purposes and in such amounts available, as directed by the Attorney General and Reporter or the Commissioner of Financial Institutions for the funds each receives. If such funds are received or recognized in state revenue accounts as available in the year ending June 30, 2012, the Commissioner of Finance and Administration is authorized to allot a sum sufficient of such funds as may be expended in fiscal year 2011-2012 and to reserve at June 30, 2012 and 2013, the balance of such funds as may be available for expenditure in fiscal year 2012-2013 or thereafter; and such funds as are reserved at June 30, 2012, hereby are appropriated for expenditure in the year beginning July 1, 2012. At the closing of any fiscal year, it is the legislative intent that revenue received through this settlement shall be reserved for the intended purposes until expended.

Item 3. The State of Tennessee estimates that the amount of \$42,432,810 will be received, including \$41,432,810 by the Attorney General and Reporter and \$1,000,000 by the Department of Financial Institutions, for the benefit of the citizens of the State of Tennessee, to be used for purposes consistent with the applicable provisions of the consent judgments, as directed by the Attorney General and Reporter, including foreclosure prevention

counseling; other housing and legal assistance programs; related compliance, investigative, enforcement, and education purposes; or to fund other programs reasonably targeted to housing or tenant issues; and to be used, as directed by the Commissioner of Financial Institutions, for Department of Financial Institutions examiner training, information technology support, financial literacy, and consumer education. From the amount of revenue estimated above, the allocations to be made, subject to approval and adjustments by the Attorney General and Reporter for sub-items (a) through (e) of this item, are as follows, and such amounts in this item hereby are appropriated or allocated for these purposes:

(a) To the general fund, allocation of a civil penalty of \$4,120,781.

(b) To the Tennessee Housing Development Agency, \$34,500,000 to be used for its Keep My Tennessee Home financial assistance program and for foreclosure counseling.

(c) To the Department of Commerce and Insurance, Division of Consumer Affairs, for the Consumer Education Fund, \$250,000.

(d) To the Miscellaneous Appropriations, \$700,000 for grants to four legal aid entities (Memphis Area Legal Services, West Tennessee Legal Services, Legal Aid of East Tennessee, and Legal Aid Society of Middle Tennessee and the Cumberland) for the purpose of training, education, and legal services relating to housing and foreclosure matters. The Commissioner of Finance and Administration is authorized to transfer this appropriation to the Attorney General and Reporter or to make the grants as directed by the Attorney General and Reporter.

(e) To the Attorney General's litigation settlement reserve, \$1,862,029, including \$1,637,029 for investigative and enforcement purposes and \$225,000 for executive committee work.

(f) To the Department of Financial Institutions, \$1,000,000 from the Conference of State Bank Supervisors to be allocated as follows and used for: (a) \$350,000 for examiner training; (b) \$350,000 for information technology support and equipment; (c) \$125,000 for a financial literacy grant to the Tennessee Financial Literacy Commission; and (d) \$175,000 for consumer education efforts by the consumer resources section of the Department of Financial Institutions. The Commissioner of Financial Institutions is authorized to adjust these amounts to the amount of revenue available from the settlement(s) and to reallocate amounts among these purposes. The Commissioner of Finance and Administration is authorized to adjust the departmental revenue estimate and allotment of the Treasury Department for the grant to the Financial Literacy Commission.

(g) The Commissioner of Finance and Administration is authorized to adjust the allocations and appropriations in this item as realized receipts require and as directed by the Attorney General and Reporter or, relative to paragraph (f), by the Commissioner of Financial Institutions.

SECTION 66. Budget Reductions Restored. In addition to the amounts appropriated in Section 1 of this act, the following amounts are appropriated from the general fund and education fund, as applicable, and the Commissioner of Finance and Administration is authorized to adjust federal aid and other departmental revenues and position authorizations accordingly. Provided, however, that the negative amounts in line-items of this section are appropriation reductions or deletions and the positive amounts are appropriation increases. Such federal aid adjustments and full-time (FT) and part-time (PT) position authorizations are estimated in the text of the following line items.

	Recurring	Non-Recurring
1. TennCare for Children's Services - Base Reduction Reconciliation (Federal \$425,200)	\$ 217,200	\$ 0
2. TennCare for Dept. of Finance and Administration, Inspector General - Vacancy Reduction Reconciliation (\$118,800 Federal)	118,800	0
3. Envir. & Cons. - Core Services FY 11 #8 - West TN River Basin Authority Maintenance	0	300,000
4. Education - Core Services FY 10 #20 - Family Resource Centers	0	3,050,000
5. Mental Health - Core Services FY 10 #7 - Peer Support Centers	0	1,377,300
6. Health - Core Services FY 10 #18 - Poison Control Center	375,000	0
7. Intellectual and Developmental Disabilities - Core Services FY 10 #7- Family Support @ \$5.5 M	0	1,000,000
8. TBI - Base Reduction FY 10 #3 - Drug Enforcement Funds	0	603,800
9. Safety - Base Reduction FY 13 #2 - Highway Patrol - Homeland Security & Wrecker Inspection (8 FT)	851,200	0
10. Children's Services - Base Reduction FY 13 #2 - Juvenile Court Supplement	855,000	0
11. Children's Services - Core Services FY 10 #3 - Juvenile Court Prevention Grants - Reduce	(855,000)	0
12. Health - Core Services FY 10 DCS #14 - Healthy Start	0	3,060,100
13. Health - Core Services FY 10 DCS #2 - Child Health & Development (CHAD)	0	838,100
14. Children's Services - Base Reduction FY 13 #9 - Child Advocacy Centers	0	250,000
Total	\$ 1,562,200	\$ 10,479,300

SECTION 67. Group Health Insurance Premium Adjustment. In addition to the amounts appropriated in Section 1 of this act, an amount of \$1,300,000 is appropriated for the purpose of adjusting the state share of group health insurance premium increases at January 1, 2013. The appropriations shall be adjusted as follows, and the Commissioner of Finance and Administration shall allocate the adjustments to the appropriate organizational units.

(a) From the Miscellaneous Appropriations, Group Health Insurance Premium – State Employees, in Section 1, Title III-22-15, reduced by \$2,600,000 to reflect a 2 percent premium increase, rather than the 4 percent included in the Budget Document.

(b) From the Higher Education systems, in Section 1, Title III-10, reduced by \$2,100,000 to reflect a 2 percent premium increase, rather than the 4 percent included in the Budget Document.

(c) To the Department of Education, Basic Education Program, in Section 1, Title III-9, Item 2.1(c), an additional \$6,000,000 for the state formula share of a 9.2 percent average increase, rather than the 5 percent included in the Budget Document.

SECTION 68. Other Additions to the Operational Budget. In addition to the amounts appropriated in Section 1 and 4 of this act, the following amounts are appropriated, and the Commissioner of Finance and Administration is authorized to adjust federal aid and other departmental revenues and position authorizations accordingly. Such federal aid and other departmental revenue adjustments and full-time (FT) and part-time (PT) position authorizations are estimated in the text of the following line items.

Item 1. General Fund Appropriations. The following appropriations are from the general fund.

		Recurring	Non-Recurring
1.	Correction Dept. - Dairy Farm Boiler Operators (3 FT)	\$ 129,100	\$ 0
2.	Correction Dept. - Dairy Farm Operation - Utilities	300,000	0
3.	Correction Dept. - Big Brothers Big Sisters - Amachi Mentoring for Children of Inmates - Grant	0	250,000
4.	TennCare - Medicaid Systems Development Staffing (Federal \$1,252,500) (32 FT)	481,500	0
5.	TennCare - Diabetic Test Strips - Rate Adjustment (Federal \$565,900)	289,100	0
6.	Finance and Administration - Business Solutions Delivery (8 FT)	1,400,000	0
7.	Veterans Affairs - Communications and Public Affairs Position (1 FT)	68,000	0
8.	Correction - Local Jails Reimbursement @ \$37 per	4,000,000	0

		<u>Recurring</u>	<u>Non-Recurring</u>
Day			
9.	Labor & WFD - Career Centers - Federal Revenue Decrease (\$6.8 M)	0	5,000,000
10.	Health – Comprehensive Sickle Cell Clinic of Memphis - Grant	0	50,000
11.	Safety - Motor Vehicle Operations	<u>1,600,000</u>	<u>900,000</u>
	Total	<u>\$ 8,267,700</u>	<u>\$ 6,200,000</u>

Item 2. State Treasurer. From the general fund, the sum of \$200,000 (non-recurring) hereby is appropriated to the State Treasurer for expenditures relative to veterans organizations.

Item 3. Dedicated Source Appropriations. The following appropriations are from dedicated state revenue sources.

	<u>Recurring</u>
1. Agriculture - Beef Promotion Fund - Sum Sufficient from 50¢ per Head Assessment	\$ 235,000
2. Health - Health-Related Boards - Complaint Resolution - Mediator and Investigation Positions (7 FT)	<u>760,400</u>
Total	<u>\$ 995,400</u>

Item 4. State Treasurer. In addition to the appropriation of departmental revenue to the Treasury Department in Section 4, Title III-1, Item 6.1, there hereby is appropriated from the state pooled investment fund revolving account created pursuant to Tennessee Code Annotated, Section 9-4-603(g):

(a) An amount not to exceed \$250,000 for costs associated with employee relocation and office consolidation of the Department of Revenue and for costs of providing shared facilities services supporting the Treasury Department and the Department of Revenue.

(b) An amount not to exceed \$200,000 for implementation of image cash letter deposit initiatives within state agencies.

SECTION 69. Reorganization of Appropriations. In addition to the amounts appropriated in Section 1 of this act, the following amounts are appropriated, and the Commissioner of Finance and Administration is authorized to adjust federal aid and other departmental revenues and position authorizations accordingly. Provided, however, that the negative amounts in line-items of this section are appropriation reductions or deletions and the positive amounts are appropriation increases. Such federal aid and other departmental revenue adjustments and full-time (FT) and part-time (PT) position authorizations are estimated in the text of the following line items.

	Recurring	
	Appropriation	Departmental Revenue
1. Correction – Field Services (-44 FT) - Reduce	\$ (4,019,500)	\$ 0
2. Parole Board - Staffing (44 FT)	4,019,500	0
3. Correction - Sentencing Act of 1985 - Reduce	(1,411,900)	0
4. Correction – Southeastern TN Regional Prison Expansion – Accelerated Staffing	1,411,900	0
5. General Services - Real Estate Asset Management – Staffing (-2 FT) – Reduce	(127,500)	0
6. Finance and Administration - State Architect - Staffing (2 FT)	127,500	0
7. Intellectual and Developmental Disabilities – Home- and Community-Based Services - Interdepartmental	0	(6,748,000)
Total	\$ 0	\$ (6,748,000)

BUDGET REDUCTIONS AND RECONCILIATION

SECTION 70. Budget Reductions and Reconciliation.

Item 1. Court System - Core Services Program Reduction. The appropriation in Section 4, Title II, Item 7, to the Court System, Administrative Office of the Courts, from its reserves is reduced by \$456,300, and the authorized positions are reduced by five (5) for the purpose of deleting the item recommended in the 2012-2013 Budget Document, Volume 2, Base Budget Reductions, on pages 99 and 138, and identified as Core Services 2010-2011 Reductions, number 1, Staffing and Operational.

Item 2. Commerce and Insurance Department - Indirect Cost Reconciliation. The appropriation in Section 1, Title III-11, Item 1, Commerce and Insurance, Administration, is reduced by \$2,102,300 and the interdepartmental revenue estimate increased by the same amount to correct the estimated indirect costs of Regulatory Boards to an amount of \$1,280,200, rather than the amount of \$3,382,500 stated on page A-47 of the 2012-2013 Budget Document.

AND FURTHER AMEND in Section 2, Item 12(a), of the printed bill by deleting the figure “\$24,492,500” and substituting in lieu thereof the figure “\$25,904,400”.

AND FURTHER AMEND in Section 11, Item 1 of the printed bill by deleting sub-item (b) in its entirety and substituting instead:

(b) The dollar value of the BEP instructional positions component shall be thirty-nine thousand eight hundred forty-nine dollars (\$39,849);

SECTION 39 – FEDERAL AND OTHER DEPARTMENTAL REVENUE

AND FURTHER AMEND by deleting in its entirety Section 39 of the printed bill and substituting the following as a new Section 39:

SECTION 39: The provisions of this section shall take effect upon becoming law, the public welfare requiring it. At June 30, 2012, any unexpended balances of departmental revenues and federal aid funds appropriated in this section are hereby reappropriated in the fiscal year beginning July 1, 2012.

(a) There hereby is appropriated from departmental revenues and federal aid funds the amounts hereinafter set out:

	<u>2011- 2012</u>	<u>2012- 2013</u>
District Attorneys General Conference		
1. District Attorneys General	\$ 143,400	\$ 0
Higher Education - State Administered Programs		
1. Tennessee Higher Education Commission	150,000	0
Labor and Workforce Development		
1. Employment Security	1,362,100	0
Mental Health		
1. Community Alcohol and Drug Abuse Services	\$ 2,090,700	\$ 4,354,600
2. Community Mental Health Services	0	2,200,000
Sub-Total Mental Health	\$ 2,090,700	\$ 6,554,600
Health		
1. Maternal and Child Health	\$ 500,000	\$ 7,852,200
2. Communicable and Environmental Disease Services	26,900	90,400
3. Community and Medical Services	129,600	0
4. Local Health Services	509,800	0
Sub-Total Health	\$ 1,166,300	\$ 7,942,600
Children's Services		
1. Custody Services	0	30,000
Sub-Total Section 39(a)	\$ 4,912,500	\$14,527,200

The Commissioner of Finance and Administration is authorized to establish eighteen (18) full-time positions and to allocate them to the appropriate organizational units, including three (3) positions in the District Attorneys General Conference; one (1) in the Department of Commerce and Insurance, Tennessee Law Enforcement Training Academy; five (5) positions in the Department of Labor and Workforce Development; and nine (9) positions in the Department of Health, including eight (8) for continuation of federally funded positions in the Division of Communicable and Environmental Disease Services.

THURSDAY, APRIL 26, 2012 – EIGHTIETH LEGISLATIVE DAY UNOFFICIAL VERSION

(b) From funds available from U.S. Public Law 111-5, the American Recovery and Reinvestment Act, there is hereby appropriated from federal funds and other departmental revenues the amounts hereinafter set out:

	<u>2011- 2012</u>	<u>2012- 2013</u>
Executive Department		
1. Governor's Office	\$ 15,000	\$ 45,000
Health		
1. Maternal and Child Health	69,800	209,500
Human Services		
1. Community Services	<u>127,900</u>	<u>554,100</u>
Sub-Total Section 39(b)	<u>\$ 212,700</u>	<u>\$ 808,600</u>

The Commissioner of Finance and Administration is authorized to establish three (3) full-time positions and to allocate them to the appropriate organizational units, including one (1) position in the Executive Department, one (1) position in the Department of Health, and one (1) position in the Department of Human Services.

Total Section 39	<u>\$ 5,125,200</u>	<u>\$15,335,800</u>
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CAPITAL OUTLAY

AND FURTHER AMEND by deleting the following language from Title III-32 in Section 1 of the printed bill:

5. Department of Environment and Conservation	12,940,000.00
7. Department of General Services	12,930,000.00
13. Tennessee Board of Regents	48,930,000.00
14. University of Tennessee	34,345,000.00

Total Title III-32.....	\$ 138,600,000.00
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and by substituting instead the following:

5. Department of Environment and Conservation	13,940,000.00
7. Department of General Services	15,660,000.00
13. Tennessee Rehabilitative Initiative in Correction	2,600,000.00
14. Tennessee Board of Regents	48,930,000.00
15. University of Tennessee	34,345,000.00

Total Title III-32.....	\$ 144,930,000.00
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AND FURTHER AMEND in Section 2 of the printed bill by inserting the following new items:

Item _____. The capital maintenance project, ETSU CoM Family Practice Replace Roof, to be funded in the amount of \$500,000 from the Tennessee Board of Regents appropriation in Section 1, Title III-32, Item 14 of this act and listed on page A-147 of the 2012-2013 budget document, is deleted and there is hereby reappropriated the sum of \$500,000 for the ETSU CoM Education Building Electrical Updates.

Item _____. In addition to the capital budget projects listed on pages A-144 through A-146 of the 2012-2013 budget document, two capital budget projects and one capital maintenance project are funded in the appropriations in Section 1, Title III-32, Items 5, 7 and 13 of this act:

- (a) Department of Environment and Conservation -
Radnor Lake State Natural Area – Land Acquisition \$1,000,000.00
- (b) Department of General Services – Capital Maintenance -
Management Support Services \$2,730,000.00
- (c) Tennessee Rehabilitative Initiative in Correction -
Cook-Chill Equipment Replacement and Repair \$2,600,000.00

SECTION 1 AND 4 AMENDMENTS - FACILITIES REVOLVING FUND (FRF)

AND FURTHER AMEND by deleting the following language from Title III-29 in Section 1 of the printed bill:

2. General Services Project Maintenance	5,547,600.00
3. Capital Projects	125,100,000.00
Total Title III-29	\$ 138,164,800.00

and by substituting instead the following:

2. General Services Project Maintenance	1,100,000.00
3. Facilities Management.....	5,547,600.00
4. Capital Projects	115,870,000.00
Total Title III-29	\$ 130,034,800.00

AND FURTHER AMEND by deleting the following language from Title III-26 in Section 4 of the printed bill:

4. Capital Projects	6,680,000.00
Total Title III-26	\$ 138,902,200.00

and by substituting instead:

4. Capital Projects	13,667,300.00
Total Title III-26	\$ 145,889,500.00

AND FURTHER AMEND by inserting a new section, to follow Section 71 of this amendment, to read as follows:

SECTION 72. It is the legislative intent to recognize revisions in the Facilities Revolving Fund (FRF) capital improvements and capital maintenance projects listed on pages A-170 and A-171 of the 2012-2013 budget document. The projects are funded by appropriations made in Section 1, Title III-29, Item 4, and in Section 4, Title III-26, Item 4, of this act and from residual bond reserves of the Facilities Revolving Fund.

Item 1. In addition to the projects identified in the 2012-2013 budget document, \$4,720,000 is provided from revenues of the Facilities Revolving Fund for Capital Maintenance – Management Support Services.

Item 2. In addition to the projects identified in the 2012-2013 budget document, \$3,900,000 is provided from residual bond reserves (\$3,100,000) of the Facilities Revolving Fund and Office of Information Resources revenues (\$800,000) for the OIR Data Center North Renovation.

Item 3. The Davy Crockett Building Renovations project in the amount of \$1,000,000, as identified in the 2012-2013 budget document is hereby increased by \$2,720,000 in state appropriations, and \$1,480,000 from revenues of the Facilities Revolving Fund.

Item 4. In addition to the projects identified in the 2012-2013 budget document, \$427,300 is provided from revenues of the Facilities Revolving Fund to address Security Upgrades of the Legislative Plaza.

Item 5. The Rachel Jackson Building Renovations project in the amount of \$2,200,000, as identified in the 2012-2013 budget document, is hereby canceled.

Item 6. The R.S. Gass Laboratory Interior Renovations project in the amount of \$2,450,000, as identified in the 2012-2013 budget document, is hereby reduced by \$1,800,000.

Item 7. The John Sevier Interior Renovation project in the amount of \$6,000,000 as identified in the 2012-2013 budget document, is hereby canceled.

Item 8. The Central Services Building Interior Renovation project in the amount of \$1,950,000, as identified in the 2012-2013 budget document, is hereby canceled.

Item 9. The TPS Hardison Complex Flooring Updates project in the amount of \$440,000, as identified in the 2012-2013 budget document, is hereby canceled.

**HIGHER EDUCATION DISCLOSED CAPITAL OUTLAY
FROM SCHOOL BONDS AND INSTITUTIONAL SOURCES**

AND FURTHER AMEND in Section 29, Item 21 of the printed bill by inserting a new item to read:

5349

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

The following proposed capital outlay projects, to be funded from school bonds, institutional/auxiliary and other funds, are in addition to those projects listed on pages A-150 through A-151 in the 2012-2013 Budget Document:

**State University and Community College System
(Tennessee Board of Regents)**

Austin Peay State University

Dunn Center Scoreboard Replacement	\$	1,870,000
Total APSU	\$	1,870,000

East Tennessee State University

Baseball Stadium Upgrades	\$	4,500,000
Gray Fossil Site Improvements		180,000
Pedestrian Safety Improvements		1,000,000
Total ETSU	\$	5,680,000

Middle Tennessee State University

Athletic Track Refurbishment	\$	400,000
Data Center Consolidation		5,250,000
Keathley University Center Renovation		3,000,000
McFarland Building Renovations		2,000,000
Total MTSU	\$	10,650,000

Tennessee State University

Campus-wide Relocations and Renovations	\$	250,000
Charter School Facilities Development		1,700,000
Hankal Hall Relocations and Renovations		1,000,000
Total TSU	\$	2,950,000

Tennessee Technological University

Foundation Hall Parking	\$	630,000
Intramural Sports and Activities Building		7,210,000
Parking and Transportation Improvements		750,000
Warf/Ellington Residence Hall Upgrade		2,250,000
Science & Engineering Complex Parking Garage		18,000,000
Tech Village Apartments Renovations Phase 3		9,680,000
Total TTU	\$	38,520,000

University of Memphis

Annex Facility Improvements	\$	400,000
Dining Pavilion Construction		150,000
Emergency Operations Generator		150,000
Intramural Field Development		1,300,000
Park Avenue Campus Entry		500,000
Traffic and Circulation Improvements		3,000,000
Zach Curlin Parking Extension		1,100,000
Carney-Johnston Dormitory Renovation		3,000,000
Dormitory Reroofing		920,000
Total UoM	\$	10,520,000

Cleveland State Community College

Fire Alarm System Upgrade	\$	1,000,000
Total CLSCC	\$	1,000,000

Jackson State Community College

Student Center Repairs and Updates	\$	500,000
Total JSCC	\$	500,000

Nashville State Community College

Antioch Teaching Site Renovations	\$	3,680,000
Total NASCC	\$	3,680,000

Pellissippi State Community College

Campus Window Replacement	\$	300,000
Career Center Renovation		700,000
Division Street Parking		820,000
Magnolia Campus Student Parking		600,000
Modular Classroom Building		370,000
Total PSCC	\$	2,790,000

Southwest Tennessee Community College

F Building Renovations	\$	190,000
Whitehaven Renovations		5,600,000
Total STCC	\$	5,790,000

Volunteer State Community College

Campus Loop Road Extension	\$	3,000,000
Wood Campus Center Upgrades		3,000,000
Total VSCC	\$	6,000,000

TTC Nashville

Aviation Hanger Construction	\$	100,000
Total TTC Nashville	\$	100,000

Total Tennessee Board of Regents	\$	90,050,000
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University of Tennessee System

University of Tennessee Chattanooga

West Campus Parking & Housing Complex Planning	\$	2,500,000
Arena Renovations Planning		100,000
Dining Services Improvements		1,000,000
Life Sciences Laboratory Facility Planning		3,000,000
Total UTC	\$	6,600,000

UT Institute of Agriculture

Energy & Enviro. Sciences Education Ctr. Planning	\$	2,000,000
Total UTIA	\$	2,000,000

University of Tennessee Knoxville

Phillip Fulmer Way Expansion	\$	15,000,000
Greve Hall Improvements Phase 2		4,000,000
Panhellenic Building Renovation Phase 2		4,000,000
Lab Renovations		11,000,000
Deferred Maintenance		12,500,000
New Student Housing Planning		3,000,000
Total UTK	\$	49,500,000

UT Martin

Fine Arts Renovation and Addition Planning	\$	500,000
Football Pressbox Improvements Planning		100,000
Total UTM	\$	600,000

Total University of Tennessee	\$	58,700,000
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Grand Total	\$	148,750,000
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The UT Chattanooga request for Mackenzie Arena Seating & Curtain System Improvements in the amount of \$1,200,000 and the UT Knoxville request for Shelbourne Tower Renovation in the amount of \$18,000,000 as identified on page A-151 of the 2012-2013 Budget Document are to be canceled.

OTHER PROVISIONS

AND FURTHER AMEND in Section 29 by inserting the following new item at the end of the section:

Item _____. From non-recurring funds appropriated in this act to the Community College System of the Tennessee Board of Regents for purposes of implementing the phase in of the outcome-based formula, the board is authorized to reserve a portion of such funds to: (a) supplement future funding of such formula phase in for the community college system; or (b) fulfill the requirements of Tennessee Code Annotated, Section 49-8-101(c) regarding the operation of the Tennessee community college system as a unified system.

AND FURTHER AMEND in Section 9, Item 4, by deleting the words “investment performance” and substituting in lieu thereof the words “investment and pensions administration performance” and by deleting the words “investment staff” and inserting in lieu thereof the words “investment and administrative staff”.

AND FURTHER AMEND in Section 9, Item 5, by deleting the words and punctuation “for payment of Unclaimed Property – Claims” and inserting in lieu thereof the words and punctuation “, Unclaimed Property, for payment of claims and claims administrative expense”.

AND FURTHER AMEND in Section 34 of the printed bill by inserting a new item to read:

Item _____. To the administration and support services programs in Section 1, Title III-10, Items 1.1 through 1.7, which are administered by the Tennessee Higher Education Commission or the Tennessee Student Assistance Corporation.

AND FURTHER AMEND in Section 35 of the printed bill by inserting a new item to read:

Item _____. To the University of Tennessee System in Section 1, Title III-10, Item 3 to provide for technical corrections to the allocation of funding for 401K benefits.

AND FURTHER AMEND in Section 36, by deleting Item 56 in its entirety and inserting in lieu thereof the following:

Item 56. To the Treasury Department for college savings incentive initiatives and a college savings plan in Public Acts of 2010, Chapter 1108, Section 1, Title III-1, Item 7.3, and Section 35, Item 3; and Public Acts of 2011, Chapter 473, Section 1, Title III-1, Item 7.3, and Section 72, Item 3, and Section 36, Item 60.

AND FURTHER AMEND in Section 36 of the printed bill by inserting new items at the end of the section to read:

Item _____. To the Department of Children's Services in Section 1, Title III-23 to fund operational expenses during the closure process of the Taft Youth Developmental Center. The carry-forward amount is subject to approval by the Commissioner of Finance and Administration.

Item _____. To the Department of Environment and Conservation in Section 1, Title III-5, the unexpended balance of the \$750,000 non-recurring appropriation for May 2010 flood, stream debris removal and repair.

AND FURTHER AMEND in Section 41 by inserting the following new items at the end of the section:

Item _____. For the purpose of defraying administrative costs of authorized programs of the Tennessee Local Development Authority, there is hereby appropriated to the Tennessee Local Development Authority an amount not to exceed \$700,000 from loan repayment amounts attributable to community provider loans. Such amounts shall be determined as necessary by the State Funding Board and the Tennessee Local Development Authority.

Item _____. Court Interpreter Services. The cost increase described in the Budget Document on page B-212 as "General Sessions Courts – Interpreter Services" is incorrectly described in the Budget Document. From the appropriation to the Court System, Administrative Office of the Courts, in Section 1, Title II, Item 13, the sum of \$2,000,000 hereby is appropriated for the purpose of providing interpreter services, in accordance with the rules prescribed by the Supreme Court, to persons with limited English language proficiency who have a matter before courts established by or pursuant to Tennessee law. Provided further that the appropriation is authorized to be transferred by the Commissioner of Finance and Administration to a new line item to be called Court Interpreter Services; and provided further that the commissioner, subject to approval of the Administrative Director of the Courts, is authorized to transfer the sum of \$1,000,000 from Indigent Defendants Counsel to Court Interpreter Services, such sum being the estimated amount that otherwise would be expended for interpreter services to indigent defendants in criminal cases in the state courts.

Item _____. Settlement and Judgment Awards and Similar Awards. In addition to the appropriations in Public Acts of 2011, Chapter 473, and in this act, such sums as are received by the Attorney General and Reporter or other state officials and agencies in settlements and judgments and similar awards hereby are appropriated for the purposes received, as determined by the Attorney General and Reporter in accordance with such settlements and judgments. The Commissioner of Finance and Administration shall classify such funds as are received in accordance with generally accepted accounting principles and, as advised by the Attorney General and Reporter, is authorized to allot such funds for expenditure by the appropriate departments and organizational units of state government. At June 30, 2012, and any subsequent fiscal year end, the unexpended balance of such funds shall be reserved and carried forward for expenditure in the subsequent fiscal year; and such funds as are carried forward

hereby are appropriated for the intended purposes. The provisions of this item shall not require the reserving of such funds in cases in which the settlement or judgment does not require the set-aside or expenditure of funds for a specific purpose or in amounts that are intended to benefit the general fund, provided, however, that funds designated for the Attorney General and Reporter shall be reserved in the Attorney General Litigation Settlement Reserve.

Item __. Tourist Development Department Support of National Festivals and Conventions. From the appropriation to the Department of Tourist Development, Administration and Marketing, in Section 1, Title III-4, Item 1, of this act, the sum of \$50,000 (non-recurring), identified in the 2012-2013 Budget Document on page B-330, is authorized to be expended for the following purposes:

(a) Making a grant to the National Council for the Traditional Arts to support the 2012 National Folk Festival in Nashville, if such festival will occur;

(b) increasing support for national conventions to be held in Nashville, if the Commissioner of Tourist Development determines that the purpose set forth in paragraph (a) is not possible or advisable; and under this circumstance, the sum of \$50,000 hereby is appropriated for the purpose of increasing sponsorships in cooperation with the Nashville Convention and Visitors Bureau to support national conventions of the Student Youth Travel Association and American Bus Association.

OVER-APPROPRIATION AND REVERSION ADJUSTMENTS

AND FURTHER AMEND by deleting the following language and punctuation from Item 1(a) in Section 43 of the printed bill:

“and a non-recurring reversion of \$94,500,000.”

and by substituting instead the following:

“and a non-recurring reversion of \$107,100,000.”

AND FURTHER AMEND by inserting a new sub-item in Item 1 in Section 43 of the printed bill to read:

(c) In fiscal year 2012-2013 to recognize an Office for Information Resources (OIR) rate decrease in the estimated recurring amount of \$2,600,000 by reducing appropriations made in Section 1 of this act.

TENN-CARE FEDERAL PROGRAM EXPANSION

AND FURTHER AMEND by inserting a new item in Section 48 of the printed bill to read:

Item __. There is hereby appropriated a sum sufficient from federal grant revenues to the Department of Finance and Administration, Health-Care Planning and Innovation, related to contingency activities. The Commissioner of

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Finance and Administration is authorized to adjust federal revenue allotments required to fund the Strategic Health-Care Programs accordingly.

2012-2013 SALARY POLICY

AND FURTHER AMEND by deleting in its entirety Item 2 in Section 49 of the printed bill and by renumbering the subsequent items in Section 49.

AND FURTHER AMEND by inserting a new paragraph at the end of the newly designated Item 4 in Section 49 (Item 5 of the printed bill) to read:

From the \$15,000,000 appropriation it is the legislative intent to earmark for non-executive agencies the following amounts in fiscal year 2012-2013:

Legislature	\$ 253,500.00
Fiscal Review Committee..	12,000.00
Court System	244,500.00
Attorney General and Reporter	550,000.00
Secretary of State	225,000.00
Comptroller of the Treasury	379,500.00
Treasury Department	1,500.00
Total Non-Executive Agencies.....	\$1,666,000.00

AND FURTHER AMEND in Section 60 of the printed bill by adding the following at the end of the first paragraph:

Provided, however, that severance benefits shall not be considered to have been due to any terminated employee who is re-employed by the state within sixty days of termination, and any such employee shall reimburse the state on a pro-rata basis in such circumstance. Any such repayment shall be made in accordance with applicable payroll and accounting policies and procedures so that the repayment amount is paid by the end of the calendar year.

HOUSEKEEPING PROVISIONS

AND FURTHER AMEND in Section 1, Title III-30, in the fourth paragraph thereof, by deleting the word "Chairmen" in both instances and substituting in both places the word "Chairs".

AND FURTHER AMEND in Section 3, Item 1, in the third paragraph, by deleting the word "chairman" and substituting in lieu thereof the word "chair".

AND FURTHER AMEND and in Section 6, Item 12, by deleting the citation "Senate Bill ____ / House Bill ____" in both instances and substituting in lieu thereof in both places the citation "Senate Bill 3769 / House Bill 3836".

AND FURTHER AMEND in Section 7, Item 1, by deleting the date "2011-2012" and substituting in lieu thereof the date "2012-2013".

AND FURTHER AMEND in Section 7, Item 2, by deleting the word "Chairman" and substituting in lieu thereof the word "Chair" and by deleting the word "him" in both

instances and in the first instance substituting the words “the Chair” and in the second instance substituting the words “the Secretary”.

AND FURTHER AMEND in Section 7, Item 12, by deleting the word “firemen” and substituting in lieu thereof the word “firefighters”, by deleting the word “fireman’s” and substituting the word “firefighter’s”, and by deleting the word “his” and substituting the word “the”.

AND FURTHER AMEND in Section 7, Item 13, by deleting the word “his” and substituting in lieu thereof the word “the”.

AND FURTHER AMEND in Section 8, Item 5, by deleting the first comma and by inserting after the word and punctuation “General,” the words and punctuation “in accordance with Tennessee Code Annotated, Section 8-6-106,”.

AND FURTHER AMEND in Section 8, Item 11, by deleting the word “Agency” and inserting in lieu thereof the word “Authority”.

AND FURTHER AMEND in Section 8, Item 16(e) by deleting the words and citation “and Section 67-4-606”.

AND FURTHER AMEND in Section 8, Item 19(e) by deleting the word “Authority” and substituting in lieu thereof the word “Agency”.

AND FURTHER AMEND in Section 8, Item 30(b) by deleting the words and date “Act of 1989” and substituting in lieu thereof the words “Incentive Account”.

AND FURTHER AMEND in Section 8, Item 37, by deleting the word “unit” and substituting in lieu thereof the word “Division”.

AND FURTHER AMEND in Section 10, Item 16, of the printed bill by inserting after the citation “Item 2” the words “and in Section 68, Item 1 (8)” and by deleting the amount “\$35.00” in all three places and inserting in lieu thereof the amount “\$37.00”.

AND FURTHER AMEND in Section 10, Item 17, by deleting the amount “five hundred dollars (\$500.00)” and substituting in lieu thereof the amount “one thousand dollars (\$1,000.00)”.

AND FURTHER AMEND in Section 10, Item 25, by deleting the word “specialty” and inserting in lieu thereof the words and punctuation “cultural, specialty earmarked, new specialty earmarked, and collegiate”; and by inserting the following before the period at the end of the sentence: “, as provided in Tennessee Code Annotated, Title 55, Chapter 4”.

AND FURTHER AMEND in Section 10, by renumbering items 30, 31, 32, and 33, as items 28, 29, 30, and 31, respectively.

AND FURTHER AMEND in Section 12, Item 2, by deleting the TCA citation “4-5-209” and substituting in lieu thereof the citation “4-5-208”.

AND FURTHER AMEND in Section 12, Item 3, by deleting the words “bill is minimal” and inserting in lieu thereof the words “bill as enacted is minimal”.

AND FURTHER AMEND in Section 15, Item 7 of the printed bill by deleting the words “Finance and Administration” in two places in the item and substituting instead the words “General Services” in both places.

AND FURTHER AMEND in Section 20 by deleting the year “2012” and substituting in lieu thereof the year “2013”.

AND FURTHER AMEND in Section 23, Item 1, in the second paragraph, in its first sentence, by deleting the words “estimated federal” and inserting in lieu thereof the word “federal”.

AND FURTHER AMEND the printed bill in Section 23, Item 3, by deleting the item in its entirety and by substituting instead the following:

Item 3. The capital budget and appropriations for capital outlay shall be presented as provided in Senate Bill 2418 / House Bill 2552 or Senate Bill 3771 / House Bill 3839, if such provisions in either bill become law. If such provisions in either cited bill do not become law, the following provisions of this item shall not apply and Tennessee Code Annotated, Section 9-4-5108(b) shall apply; if such provisions in either cited bill become law, then the provisions of such bill and the following provisions of this item shall apply:

The capital budget, to be included in part 3 of the budget document, shall contain funding for all capital outlay. Funding for all capital improvement projects of whatever amount and funding for each capital maintenance project of one million dollars (\$1,000,000) or more shall be specified by project, by affected spending agency, and by funding sources, including state current funds, bonds, and other revenue. Funding for each capital maintenance project of less than one million dollars (\$1,000,000) shall be specified in such detail in the budget document as the Governor shall determine. Appropriations for capital improvement and capital maintenance projects shall be specified by state agency in lump sums consistent with capital improvement and maintenance projects detailed in the budget document.

AND FURTHER AMEND in Section 23, Item 4, of the printed bill by deleting the word “Chairmen” and inserting in lieu thereof the word “Chairs”.

AND FURTHER AMEND in Section 26, Item 6, by deleting, in the first instance in which they appear, the words “as authorized under” and substituting in lieu thereof the words “at the same rates and in the same manner provided by”.

AND FURTHER AMEND in Section 28 by inserting after the word “Administration” at the end of the second sentence the words “and the Comptroller of the Treasury, pursuant to Tennessee Code Annotated, Section 4-3-304”.

AND FURTHER AMEND in Section 31 of the printed bill by:

(a) deleting the following language:

5358

2. Mental Health Services block grant in the amount of \$8,174,600

and inserting in lieu thereof the following:

2. Mental Health Services block grant in the amount of \$10,374,600

; and,

(b) deleting the following language:

8. Substance Abuse Prevention and Treatment block grant in the amount of \$30,275,500

and inserting in lieu thereof the following:

8. Substance Abuse Prevention and Treatment block grant in the amount of \$34,275,500

AND FURTHER AMEND in Section 35, Item 1, by inserting after the word and punctuation "Counsel," the words and punctuation, "Court Interpreter Services,".

AND FURTHER AMEND in Section 36, Item 57, by deleting the citation "Section 77, Item 19" and inserting in lieu thereof the citation "Section 41, Item 35, of this act".

AND FURTHER AMEND in Section 36, Item 4, by deleting the TCA citation "67-4-606(a)(B)(9)" and substituting in lieu thereof the citation "67-4-606(a)(9)".

AND FURTHER AMEND in Section 41, Item 19, by deleting the words and punctuation "(d) Governor's Schools; and (e) Governor's Institute for Science and Math" and inserting in lieu thereof the words and punctuation "and (d) Governor's Schools".

AND FURTHER AMEND in Section 41, Item 20, by deleting the words "the Tennessee Infant Parent Services School" and inserting in lieu thereof the words "Tennessee Early Intervention Services".

AND FURTHER AMEND in Section 41, Item 24, by deleting the word "rent" and inserting in lieu thereof the word "rental".

AND FURTHER AMEND in Section 41, Item 33, by deleting the TCA citation "67-801(b)(1)" and substituting in lieu thereof the citation "67-1-801(b)(1)".

AND FURTHER AMEND by inserting new items at the end of Section 41 of the printed bill to read:

Item __. The Commissioner of Finance and Administration is authorized to establish three (3) additional full-time positions in the Department of Environment and Conservation, State Parks, to correct a position count error.

Item _____. The Commissioner of Finance and Administration is authorized to establish one (1) additional full-time position in the Comptroller of the Treasury, Division of County Audit, to correct a position count error.

AND FURTHER AMEND in Section 48 of the printed bill by deleting in Item 7 the date “June 30, 2012” and the figure “\$10,100,000” and by substituting instead the date “June 30, 2013” and the figure “\$8,969,100”.

LEGISLATIVE AMENDMENT

AND FURTHER AMEND by adding the following new sections:

LEGISLATIVE SOURCE ADJUSTMENTS

SECTION 72.

Item 1. The appropriation in Section 1, Title III-9, Item 2.1(b) to the Department of Education, Career Ladder, is reduced by the sum of \$1,500,000 (recurring) for the purpose of recognizing program savings because of attrition.

Item 2. At June 30, 2012, the sum of \$15,000,000 shall be transferred to the General Fund from Tennessee Emergency Management Agency (TEMA), Reserve for Disaster Relief, and the remaining unexpended balance of TEMA disaster relief appropriations and reserves shall be carried forward at June 30, 2012, and hereby is appropriated for expenditure in the year beginning July 1, 2012. The provisions of this item shall take effect upon becoming law, the public welfare requiring it.

Item 3. The appropriation in Section 1, Title III-29, to the Facilities Revolving Fund, Capital Projects, is reduced by \$5,500,000 for the purpose of reducing to \$69,500,000 the Office Consolidation Project identified on page A-170 of the 2012-2013 Budget Document.

Item 4. Of the appropriation in Section 1, Title III-8, Item 3, to the Department of Economic and Community Development, FastTrack Infrastructure and Job Training Assistance Program, and identified on page B-330 of the 2012-2013 Budget Document as a cost increase of \$10,000,000 recurring and \$10,000,000 non-recurring, the recurring sum of \$10,000,000 hereby is designated as a non-recurring appropriation, such that the entire \$20,000,000 FastTrack program cost-increase described on page B-330 shall be non-recurring.

Item 5. Of the appropriation in Section 1, Title III-9, Item 2.1(c), to the Department of Education, Basic Education Program (BEP), and identified as core-services continuation of BEP ADM Growth Funding on page 118 of the 2012-2013 Budget Document, Volume 2, a sum of \$3,500,000 hereby is designated as a non-recurring appropriation.

DEDICATED SOURCE & EARMARKS

SECTION 73.

Item 1.

(a) From the funds appropriated to the Department of Transportation, there is earmarked a sum sufficient for the sole purpose of implementing Chapter 734 of the Public Acts of 2012, Chapter 739 of the Public Acts of 2012, Chapter 740 of the Public Acts of 2012, Senate Bill 2278 / House Bill 2682, Senate Bill 2401 / House Bill 2329, Senate Bill 2678 / House Bill 2803, Senate Bill 2684 / House Bill 2794, Senate Bill 2732 / House Bill 2793, Senate Bill 2733 / House Bill 2878, Senate Bill 2778 / House Bill 3570, House Joint Resolution 872, and Senate Joint Resolution 629, if such bills and resolutions become law.

(b) From the funds appropriated to the Department of Transportation, there is earmarked a sum sufficient for the sole purpose of funding any general bill or resolution, that becomes law, designating an interstate, United States highway or state highway as a memorial highway or as a memorial bridge for certain individuals killed in the line of duty, pursuant to § 54-1-133 or § 54-5-1003, that is not otherwise funded in this act.

(c) This item shall take effect upon becoming a law, the public welfare requiring it.

Item 2. From funds available and appropriated to the Department of Commerce and Insurance (Scrap Metal Registration Program), there is earmarked a sum sufficient for the sole purpose of implementing Senate Bill 2895 / House Bill 3246, relative to scrap metal dealers, if such bill becomes law.

Item 3. From funds available and appropriated to the Department of Health (Division of Health Related Boards), there is earmarked a sum sufficient for the sole purpose of implementing Senate Bill 3644 / House Bill 3688, relative to electronic notifications, if such bill becomes law.

Item 4. From funds appropriated to the Tennessee Wildlife Resources Agency, there is earmarked the sum of \$1,500 for the sole purpose of implementing the provisions of Senate Bill 3655 / House Bill 3690, relative to licenses for disabled minors, if such bill becomes law.

Item 5. From funds appropriated to the Tennessee Wildlife Resources Agency, there is earmarked the sum of \$400 for the sole purposes of implementing the provision of Senate Bill 3590 / House Bill 2776, relative to reorganization of the agency, if such bill becomes law.

Item 6. From funds appropriated to the Tennessee Wildlife Resources Agency, there is earmarked the sum of \$1,500 for the sole purpose of implementing the provisions of Senate Bill 2403 / House Bill 2294, relative to licenses for person with intellectual disabilities, if such bill becomes law.

Item 7. From funds appropriated the University of Tennessee System and the Tennessee Board of Regents System, there is earmarked a sum

sufficient for the sole purpose of implementing Senate Bill 3022 / House Bill 3665, relative to background checks, if such bill becomes law.

Item 8. From the funds appropriated to the Secretary of State, there is earmarked a sum sufficient for the sole purpose of publishing Senate Joint Resolution No. 221, in accordance with Section 3 of Article XI of the Tennessee Constitution, if such resolution is adopted.

Item 9. From the funds appropriated to the Secretary of State, there is earmarked a sum sufficient for the sole purpose of publishing Senate Joint Resolution 183 and/or Senate Joint Resolution 710, in accordance with Section 3 of Article XI of the Tennessee Constitution if either, or both, such resolutions are adopted.

LEGISLATIVE INITIATIVES

SECTION 74.

Item 1. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the Department of Finance and Administration for distribution to the appropriate entities for the sole purpose of implementing Senate Bill 2863 / House Bill 3213, Senate Bill 3155 / House Bill 3272, Senate Bill 2368 / House Bill 2488, Senate Bill 2371 / House Bill 2493, Senate Bill 1325 / House Bill 1379, Senate Bill 3005 / House Bill 2868, Senate Bill 2349 / House Bill 2311, Senate Bill 2606 / House Bill 2655, Senate Bill 2759 / House Bill 3082, Senate Bill 2129 / House Bill 2309, Senate Bill 2886 / House Bill 3225, Senate Bill 2438 / House Bill 2733, Senate Bill 3176 / House Bill 2334, Senate Bill 2066 / House Bill 2114, Senate Bill 2819 / House Bill 2663, and Senate Joint Resolution No. 701, if such bills and resolutions become law. It is the legislative intent that if funding is earmarked for such implementation in such bills or resolutions that the funds appropriated in this item be reduced accordingly.

Item 2. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 (non-recurring) to the department of education for the sole purpose of allocating such sum as grants in equal amounts to each Tennessee public television station, to be used for equipment, programs and operational expenses.

Item 3. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$75,000 (non-recurring) to the department of finance and administration for the sole purpose of making grants in the amount of \$37,500 each to the Rutherford County Drug Court and the Williamson County Drug Court, to be used for operational expenses.

Item 4. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 (non-recurring) to the department of finance and administration for the sole purpose of contracting with a nonprofit organization for promotion of health awareness among Tennessee males. Such nonprofit organization must have been established prior to January 1, 2004; must have received a contract administered through the Tennessee

department of health; must have received funding through the vitamin supplement settlement of June 2003, administered by the Tennessee attorney general's office; and must possess substantial experience with general health outreach and education activities for males in Tennessee, including activities for the general population and the underserved living in Tennessee.

Item 5. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 (non-recurring) to the department of health for the sole purpose of making a grant in such amount to the Crumley House located in Washington County, to be used for the provision of programs and services on behalf of persons suffering from traumatic brain injuries.

Item 6. In addition to any other funds appropriated by the provision of this act, there is appropriated the sum of \$125,000 (non-recurring) to the department of health for the sole purpose of making a grant in such amount to the Memphis Oral School for the Deaf, to be used for programs and operational expenses.

Item 7. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the Department of Health for the sole purpose of the vaccine billables project.

Item 8. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 (non-recurring) to the Administrative Office of the Courts for the sole purpose of making a grant in such amount to the Legal Aid Society of East Tennessee, to be used for domestic violence programs and services provided through the organization's Chattanooga office.

Item 9. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$335,000 (non-recurring) to the Department of Environment and Conservation for the sole purpose of restoring base funding for the West Tennessee River Basin Authority major maintenance program.

Item 10. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$30,000 (non-recurring) to the Tennessee Historical Commission for the sole purpose of the continuation of the historical interpretation pilot project. It is the intent of the General Assembly that such funds be distributed to the same property funded in Section 77, Item 7, of Chapter 473 of the Public Acts of 2011.

Item 11. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to Tennessee History for Kids, Inc., to be used for programs, services, and operational expenses.

Item 12. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$157,500 (non-recurring) to the Department of Tourist Development for the purposes of web site development,

marketing, advertising and other support services for the Tennessee Sesquicentennial Commission.

Item 13. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$316,000 (non-recurring) to the Department of Human Services for the sole purpose of making a grant in such amount to the Second Harvest Food Bank of Middle Tennessee, to be used for the purpose of purchasing, handling, and transporting food for hunger relief. The Second Harvest Food Bank of Middle Tennessee shall distribute the funds to the five (5) food banks across the state, as follows:

35% to Second Harvest Food Bank of Middle Tennessee;

25% to Memphis Food Bank;

20% to Second Harvest Food Bank of East Tennessee;

10% to Chattanooga Area Food Bank;

10% to Second Harvest Food Bank of Northeast Tennessee.

Item 14. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$450,000 (non-recurring) to the Department of Economic and Community Development for the sole purpose of local planning transition grants. It is the intent of the General Assembly that each of the nine (9) development districts receive \$50,000.

Item 15. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$120,000 (recurring) to the Commission on Children and Youth for the sole purpose of making grants of \$15,000 each to seven (7) counties participating in the Court Appointed Special Advocates (CASA) program and to one (1) additional county seeking to participate in the program, bringing the total counties receiving state funds to forty-five (45).

Item 16. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,681,500 (non-recurring) to the Department of Intellectual and Developmental Disabilities for the sole purpose of restoring funding for the Family Support Program that provides assistance to developmentally disabled individuals who do not qualify for intellectual disabilities services.

Item 17. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$75,000 (non-recurring) to the Department of Education for the sole purpose of making a grant in such amount to the Education Equal Opportunity Group, Inc. (EEOG), to be used to support student participation in EEOG programs for at-risk and under-served students.

Item 18. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 (non-recurring) to the Tennessee Bureau of Investigation (TBI) for the sole purpose of making a grant

in such amount to Crime Stoppers, Inc., to be used for services and operational expenses.

Item 19. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$180,000 (non-recurring) to the Department of Education for the sole purpose of grants-in-aid to science alliance museums.

Item 20. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$2,000,000 (non-recurring) to the Department of Education for the sole purpose of restoring funds for school internet connectivity.

Item 21. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$25,000 (non-recurring) to the District Attorneys General Conference for the sole purpose of training and improving administrative practices for drug task forces.

Item 22. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$105,000 (non-recurring) to the Department of Education for the sole purpose of career and technical education programming implemented through the Tennessee Alliance of Boys & Girls Clubs.

Item 23. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$800,000 (non-recurring) to the department of finance and administration for the sole purpose of making a grant in such amount to Meharry Medical College, to be used in support of the Meharry HBCU Wellness Project.

Item 24. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$95,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the National Institute for Law and Equity (NILE), to be used for operational expenses and programs, including continuation of the Parent Partner Program.

Item 25. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$15,000 (non-recurring) to the District Attorneys General Conference for the sole purpose of hosting the National Association of Prosecutor Coordinators (NAPC) conference in Nashville during December 2012.

Item 26. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$49,000 (non-recurring) to the department of finance and administration for the sole purpose of making a grant in such amount to the Secret Safe Place for Newborns, to be used for the purpose of informing the community of safe, secret options under the Safe Haven Law.

Item 27. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Shelby County Drug Court under the guidance of Judge Tim Dwyer, to be used for programs, services and operational expenses.

Item 28. In addition to any other funds appropriated by the provisions of this act, there is appropriated an amount up to \$100,000 (non-recurring) to the Tennessee Historical Commission for the sole purpose of research and publication of up to one thousand two hundred (1,200) hardbound copies of the next volume of the Biographical Directory of the Tennessee General Assembly.

Item 29. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$150,000 (non-recurring) to the Department of Health for the sole purpose of making a grant in such amount to St. Jude Hospital in Memphis, to defray, in whole or in part, the expenses of patients and their families who are citizens and residents of Tennessee in traveling to and from St. Jude Hospital. Such payments shall be administered by the hospital and shall be made on the basis of need. Such patients, or their families, requesting assistance from these funds shall supply such documents supporting need and travel expenses as the hospital may require.

Item 30. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$206,300 (non-recurring) to the Department of Health, Bureau of Health Services, Community and Medical Services, for the sole purpose of restoring funding for the epilepsy program.

Item 31. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Nashville Drug Court Support Foundation, a non-profit corporation, to be used for general operating costs to help prevent and resolve issues related to substance abuse.

Item 32. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to a Tennessee nonprofit fund supporting services to communities of greatest need to be used for enterprise development week youth economic summits in Nashville, Chattanooga and Memphis.

Item 33. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to A Bridge of Hope, to be used to provide human trafficking training programs to law enforcement officers.

Item 34. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$125,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant

in such amount to the Tennessee Association of Rescue Squads, to be used for the acquisition of underwater radar and associated costs.

Item 35. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$15,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Tennessee Association of Rescue Squads, to be used for operational costs.

Item 36. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the University of Tennessee System for the sole purpose of programs and services provided through the UT Law Enforcement Innovation Center.

Item 37. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$200,000 (non-recurring) to the department of finance and administration for the sole purpose of making a grant in such amount to the town of Somerville, to be used for seed money in the town's efforts to build a facility for higher education.

Item 38. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$300,000 (non-recurring) to the department of finance and administration for the sole purpose of making a grant in such amount to E.M. Jellinek Center of Knoxville, Tennessee, to be used for programs, services, and operational expenses related to substance abuse treatment.

Item 39. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$10,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to Tennessee CASA, to be used for programs and services.

Item 40. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 (non-recurring) to the Department of Environment and Conservation for the sole purpose of making a grant in such amount to the Chickasaw Basin Authority.

Item 41. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$35,000 (non-recurring) to the Wars Commission for the sole purpose of conducting an audit of war memorials to ensure that all appropriate individuals have been listed. No later than December 1, 2012, the commission shall report to the members of the finance, ways and means committees of the senate and the house of representatives on the condition of the various memorials.

Item 42. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 (non-recurring) to the Board of Regents, for the sole purpose of building out the space for the third floor of the new Allied Health and Technologies Building of the Roane State Community College, Oak Ridge campus. Such state funding is supplemental to institutional funding in the amount of \$1,300,000 to complete the third floor. It is intended

that this state funding in support of the additional space will assist the school in meeting the demand for health science programs.

Item 43. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the Tennessee Arts Commission for the sole purpose of making a grant in such amount for musical heritage.

Item 44. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$244,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making grants, in equal amounts, to the drug courts located in non-urban counties, to be used for programs, services and operational expenses.

Item 45. To the University of Tennessee, \$5,000,000 is made available from National Academy-Level Faculty unobligated reserves for use toward the completion of the Joint Institute for Advanced Materials Science (JIAMS) research laboratory facility at Cherokee Farm.

LANGUAGE AMENDMENTS

SECTION 75.

Item 1. From the funds appropriated by this act, the department of finance and administration is directed to study the increasing prices of gasoline compared to the applicable rate of mileage reimbursement paid to state employees, excluding members of the general assembly, for using personally owned or leased vehicles in the course of official state business. The department shall propose recommendations arising from the study, including recommendations for increasing the rate of reimbursement when the average price of regular gas in this state exceeds four dollars (\$4.00) per gallon or a higher amount, as certified by the American Automobile Association's ("AAA") Daily Fuel Gauge Report. Such recommendations shall be reported to the chairs of the finance, ways and means committees of the senate and the house of representatives no later than December 1, 2012.

Item 2. Each state agency shall report to the chairs of the finance, ways and means committees of the senate and the house of representatives and to the office of legislative budget analysis when the agency applies for a federal grant of more than \$100,000.

Item 3. From the appropriations made in this act, the Department of Finance and Administration, Bureau of TennCare, is requested to examine the impact to the budget of moving the CoverKids program, Tennessee's Children's Health Insurance Program (CHIP), into the TennCare program. The Bureau of TennCare shall report no later than January 1, 2013 to the chairs of the finance, ways and means committees of the senate and the house of representatives on the budget impact.

Item 4. It is the legislative intent that in the fiscal year ending June 30, 2013 and in subsequent fiscal years, any required reversion to the general fund

balance from any unexpended funds available to the Secretary of State, Division of Public Documents, be reduced by a sum sufficient and transferred to the division for the sole purpose of funding any joint resolution, that becomes law, calling for an amendment to the Tennessee constitution. It is the legislative intent that such funding be used to provide notice of any constitutional amendments proposed by the General Assembly.

Item 5. From the appropriations made in this act, the Administrative Office of the Courts is requested to conduct a statewide study of the assessment of all unpaid court fees, fines and costs compared to the actual collection of such fees, fines and costs. The study shall be limited to those assessments and collections made in the 2011-2012 fiscal year. The results of the study, including any recommended legislation, shall be reported to the chairs of the finance, ways and means committees, the judiciary committees of the senate and house of representatives, and the executive director of the fiscal review committee no later than January 1, 2013.

SECTION 76. The provisions of this section take effect upon becoming law, the public welfare requiring it. From the appropriations made in this act, there is hereby appropriated a sum sufficient for implementation of any legislation cited, or otherwise described by category, in this act that has an effective date prior to July 1, 2012.

HIGHER EDUCATION LOTTERY SCHOLARSHIPS

AND FURTHER AMEND by adding the following language as new items to Section 52:

Item 6. From the Lottery for Education Account, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill 2687 / House Bill 3332, relative to a short form lottery scholarship application, if such bill becomes a law.

Item 7. From the Lottery for Education Account, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill 3599 / House Bill 3816, relative to lottery scholarships for home school students, if such bill becomes a law.

MISCELLANEOUS

AND FURTHER AMEND by adding the following paragraph to the end of Section 23, Item 3:

The Commissioner of Finance and Administration shall provide a written quarterly report to the director of the Office of Legislative Budget Analysis and to the executive director of the Fiscal Review Committee identifying additions, deletions or other modifications of capital improvement and capital maintenance projects occurring subsequent to enactment of the annual budget through the appropriations and bond authorization acts.

AND FURTHER AMEND by adding the following sentence to the end of Section 63, Item 2:

It is the intent of the general assembly that such funds shall not be distributed by means of the higher education formula.

AND FURTHER AMEND by deleting the item within Section 29 which reads as follows:

From non-recurring funds appropriated in this act to the Community College System of the Tennessee Board of Regents for purposes of implementing the phase in of the outcome-based formula, the board is authorized to reserve a portion of such funds to: (a) supplement future funding of such formula phase in for the community college system; or (b) fulfill the requirements of Tennessee Code Annotated, Section 49-8-101(c) regarding the operation of the Tennessee community college system as a unified system.

and by substituting instead the following language:

From non-recurring funds appropriated in this act to the Community College System of the Tennessee Board of Regents for purposes of implementing the phase in of the outcome-based formula, the board is authorized to reserve a portion of such funds to: (a) supplement future funding of such formula phase in for the community college system; or (b) fulfill the requirements of Tennessee Code Annotated, Section 49-8-101(c) regarding the operation of the Tennessee community college system as a unified system. The Tennessee Board of Regents shall file a written report with the chairs of the Education Committees of the Senate and House of Representatives concerning the provisions of this item.

AND FURTHER AMEND by adding the following sentence to the end of the item within Section 41 which begins "Settlement and Judgment Awards and Similar Awards":

The Attorney General and Reporter shall file a written report with the Speaker of the Senate, the Speaker of the House of Representatives and the Office of Legislative Budget Analysis upon receipt of any settlement or judgment in excess of \$1,000,000; such report shall specify the nature of the settlement or judgment, the amount of the settlement or judgment and the purposes for which any such settlement or judgment funds are received.

AND FURTHER AMEND by deleting the item within Section 41 which reads as follows:

Tourist Development Department Support of National Festivals and Conventions. From the appropriation to the Department of Tourist Development, Administration and Marketing, in Section 1, Title III-4, Item 1, of this act, the sum of \$50,000 (non-recurring), identified in the 2012-2013 Budget Document on page B-330, is authorized to be expended for the following purposes:

(a) Making a grant to the National Council for the Traditional Arts to support the 2012 National Folk Festival in Nashville, if such festival will occur;

(b) increasing support for national conventions to be held in Nashville, if the Commissioner of Tourist Development determines that

the purpose set forth in paragraph (a) is not possible or advisable; and under this circumstance, the sum of \$50,000 hereby is appropriated for the purpose of increasing sponsorships in cooperation with the Nashville Convention and Visitors Bureau to support national conventions of the Student Youth Travel Association and American Bus Association.

and by substituting instead the following:

Tourist Development Department Support of National Festivals and Conventions. From the appropriation to the Department of Tourist Development, Administration and Marketing, in Section 1, Title III-4, Item 1, of this act, the sum of \$50,000 (non-recurring), identified in the 2012-2013 Budget Document on page B-330, is authorized to be expended for making a grant to the National Council for the Traditional Arts to support the 2012 National Folk Festival in Nashville, if such festival will occur.

AND FURTHER AMEND by deleting the item within Section 48 which reads as follows:

There is hereby appropriated a sum sufficient from federal grant revenues to the Department of Finance and Administration, Health-Care Planning and Innovation, related to contingency activities. The Commissioner of Finance and Administration is authorized to adjust federal revenue allotments required to fund the Strategic Health-Care Programs accordingly.

AND FURTHER AMEND by requesting the Engrossing Clerk to:

(1) Insert between Sections 64 and 65 of the printed bill any new sections added to the bill so that Sections 65 through 69 of the printed bill will be the renumbered final sections of the engrossed bill;

(2) Delete the bold underlined explanatory headings in this amendment;
and

(3) Exclude this paragraph from the engrossed bill.

Rep. M. Turner moved adoption of Amendment No. 1 to 2 as follows:

Amendment No. 1 of 2

AMEND House Bill No. 3835 by inserting the following language as a new item in Section 74, **LEGISLATIVE INITIATIVES**:

Item___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$ 5,219,400 (recurring) to the County Revenue Partnership Fund for the sole purpose of funding the remaining increase in local cost required by Senate Bill 2251 / House Bill 2389, if such bill becomes law, that remains unfunded by Section 43, Item 9, of this act.

Rep. Sargent moved that Amendment No. 1 to 2 be tabled, which motion prevailed by the following vote:

Ayes 63
Noes 31

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Dean, Dennis, Dunn, Elam, Eldridge, Faison, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Todd, Watson, Weaver, White, Williams K, Williams R, Wirgau, Madam Speaker Harwell -- 63

Representatives voting no were: Armstrong, Bass, Brown, Camper, Cooper, Curtiss, DeBerry J, DeBerry L, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Jones, Kernell, McDonald, Miller L, Moore, Naifeh, Odom, Parkinson, Pitts, Shaw, Shepard, Stewart, Tidwell, Towns, Turner J, Turner M, Windle, Womick -- 31

Rep. Brown moved adoption of Amendment No. 2 to 2 as follows:

Amendment No. 2 of 2

AMEND House Bill No. 3835 by adding the following language as a new item in Section 74:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 (non-recurring) to the Board of Regents for the sole purpose of making a grant in such amount to Tennessee State University for the SITES-M Project, to be used for strengthening instruction in Tennessee elementary schools. Such funds shall be allocated to allow schools to become participants or to continue participation, as follows:

\$265,000 to allow an additional year for six (6) elementary schools to continue participation;

\$ 350,000 to allow the University of Tennessee at Chattanooga to continue participation with its existing elementary and middle school partners; and to add one (1) additional elementary school and middle school in Chattanooga as participants;

\$200,000 to add East Tennessee State University as a participant with its partners, an elementary school and middle school; and

\$185,000 to further develop mathematics challenges with ETS for the purpose of achieving Common Core State Standards and related goals.

Rep. Sargent moved that Amendment No. 2 to 2 be tabled, which motion prevailed by the following vote:

5372

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Ayes 64
Noes..... 34

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Todd, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 64

Representatives voting no were: Armstrong, Bass, Brown, Camper, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Jones, Kernell, McDonald, Miller L, Moore, Naifeh, Odom, Parkinson, Pitts, Pruitt, Richardson, Shaw, Shepard, Sontany, Stewart, Tidwell, Towns, Turner J, Turner M, Windle -- 34

Rep. K. Williams moved the previous question on Finance, Ways and Means Committee Amendment No. 2, which motion prevailed.

On motion, Amendment No. 2 was adopted by the following vote:

Ayes 65
Noes..... 28

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Dean, Dennis, Dunn, Elam, Eldridge, Evans, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Todd, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 65

Representatives voting no were: Armstrong, Bass, Brown, Camper, Cooper, Curtiss, DeBerry L, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Jones, Kernell, McDonald, Miller L, Moore, Naifeh, Parkinson, Pitts, Richardson, Shaw, Shepard, Sontany, Stewart, Tidwell, Towns, Turner J, -- 28

Rep. Harrison moved adoption of Finance, Ways and Means Committee Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 3835 by deleting the language "\$107,100,000" from Section 43, Item 1 and by substituting instead the language "107,300,000".

AND FURTHER AMEND by deleting the language "(non-recurring)" from Section 74, Item 4 and by substituting instead the language "(recurring)".

AND FURTHER AMEND by deleting Section 74, Item 8 in its entirety and by substituting instead the following:

5373

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Item 8. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$150,000 (non-recurring) to the Administrative Office of the Courts for the sole purpose of making grants to legal aid programs in each grand division to be used for domestic violence prevention and services.

AND FURTHER AMEND by deleting Section 74, Item 18 in its entirety and by substituting instead the following:

Item 18. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 (non-recurring) to the Tennessee Bureau of Investigation (TBI) for the sole purpose of making grants to local governments in which Crime Stoppers operates. The TBI is authorized to award such grants upon application submitted by a local government as required by the TBI.

AND FURTHER AMEND by deleting Section 74, Item 41 in its entirety and by substituting instead the following:

Item 41. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$35,000 (non-recurring) to the Tennessee Historical Commission for the sole purpose of conducting an audit of war memorials to ensure that all appropriate individuals have been listed on such memorials. No later than December 1, 2012, the commission shall report to the members of the finance, ways and means committees of the senate and the house of representatives on the physical condition of the various memorials to identify substandard memorials. The commission shall develop a plan to remedy any problems discovered with such memorials.

AND FURTHER AMEND by deleting Section 74, Item 43 in its entirety and by substituting instead the following:

Item 43. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$600,000 (non-recurring) to the Tennessee Arts Commission for the sole purpose of making grants for musical heritage.

AND FURTHER AMEND by deleting Section 74, Item 45 in its entirety and by substituting instead the following:

Item 45. To the University of Tennessee, \$5,000,000 is made available from National Academy-Level Faculty unobligated reserves for use toward the completion of the Joint Institute for Advanced Materials Science (JIAMS) research laboratory facility at Cherokee Farm. The provisions of this item shall take effect upon becoming a law, the public welfare requiring it.

AND FURTHER AMEND by deleting in their entirety from Section 74 the following items:

Item 6;

Item 10;

Item 17;

Item 37;

Item 38; and

Item 42.

On motion, Finance, Ways and Means Committee Amendment No. 3 was adopted by the following vote:

Ayes	70
Noes.....	24
Present and not voting.....	1

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Cambell, Carr, Casada, Cobb, Coley, Curtiss, Dean, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Odom, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Tidwell, Todd, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 70

Representatives voting no were: Armstrong, Brown, Camper, Cooper, DeBerry L, Favors, Gilmore, Hardaway, Harmon, Jones, Kernell, McDonald, Miller L, Moore, Parkinson, Pruitt, Richardson, Shaw, Shepard, Sontany, Stewart, Towns, Turner J -- 24

Representatives present and not voting were: Bass -- 1

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. McCormick voted “aye” on Amendment No. 3 to **House Bill No. 3835**.

Without objection, the Speaker requested that the Journal reflect that Rep. M. Turner voted “no” on Amendment No. 3 to **House Bill No. 3835**.

APPROPRIATIONS CALANDER, CONTINUED

Rep. Fitzhugh requested that Amendment No. 4 be moved to the heel.

Rep. Fitzhugh requested that Amendment No. 5 be moved to the heel.

Rep. Fitzhugh requested that Amendment No. 6 be moved to the heel.

Rep. Sexton moved adoption of Amendment No. 7 as follows:

5375

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Amendment No. 7

AMEND House Bill No. 3835 by adding the following new section immediately preceding the section that requests the Code Commission to denote acts failing to receive first year's funding (Section 65 of the printed bill) and by renumbering the subsequent sections accordingly:

SECTION _____. From funds appropriated to the Department of Children's Services, there is earmarked the sum of \$11,682,700 for the sole purpose of providing on-going services at the James M. Taft Youth Center. 193 positions are authorized to be maintained. The Commissioner of Finance and Administration is authorized to adjust federal and other departmental revenue accordingly.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Tindell; personal

APPROPRIATIONS CALENDAR, CONTINUED

Rep. McCormick moved that Amendment No. 7 be tabled, which motion failed by the following vote:

Ayes 44
Noes..... 53

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Carr, Casada, Coley, Dennis, Dunn, Elam, Eldridge, Gotto, Halford, Hall, Harrison, Haynes, Holt, Johnson C, Johnson P, Lollar, Maggart, Marsh, McCormick, McDaniel, McManus, Miller D, Montgomery, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Shipley, Sparks, Swann, Todd, Watson, White, Williams K, Womick, Madam Speaker Harwell -- 44

Representatives voting no were: Armstrong, Bass, Brown, Campbell, Camper, Cobb, Cooper, Curtiss, DeBerry J, DeBerry L, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Hardaway, Harmon, Hawk, Hensley, Hill, Hurley, Jones, Keisling, Kernell, Lundberg, Matheny, Matlock, McDonald, Miller L, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pruitt, Richardson, Sexton, Shaw, Shepard, Sontany, Stewart, Tidwell, Towns, Turner J, Turner M, Weaver, Williams R, Windle, Wirgau -- 53

RECESS MOTION

5376

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Rep. Sargent moved that the House stand in recess for ten minutes, which motion prevailed.

RECESS EXPIRED

The recess having expired, the House was called to order by Madam Speaker Harwell.

ROLL CALL DISPENSED WITH

On motion of Rep. McCormick, the roll call was dispensed with.

APPROPRIATIONS CALENDAR, CONTINUED

Rep. McCormick moved the previous question on Amendment No. 7 , which motion failed by the following vote:

Ayes	44
Noes.....	48
Present and not voting.....	2

Representatives voting aye were: Alexander, Brown, Carr, Casada, Cobb, Coley, Dean, Dennis, Evans, Faison, Floyd, Ford, Forgety, Gotto, Hall, Harrison, Hawk, Haynes, Johnson P, Lollar, Marsh, Matheny, McDaniel, McManus, Montgomery, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Sparks, Swann, Todd, Watson, Weaver, White, Williams K, Williams R, Womick, Madam Speaker Harwell -- 44

Representatives voting no were: Armstrong, Bass, Brooks H, Brooks K, Butt, Camper, Cooper, Curtiss, DeBerry J, DeBerry L, Dunn, Elam, Eldridge, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Hensley, Hill, Holt, Hurley, Johnson C, Jones, Maggart, Matlock, McCormick, McDonald, Miller D, Miller L, Moore, Naifeh, Niceley, Parkinson, Pitts, Pruitt, Richardson, Shaw, Shepard, Shipley, Sontany, Stewart, Tidwell, Towns, Turner J, Turner M, Windle, Wirgau -- 48

Representatives present and not voting were: Halford, Kernell -- 2

After further discussion, Rep. Sexton requested that Amendment No. 7 be moved to the heel.

Rep. Sexton moved that Amendment No. 8 be withdrawn, which motion prevailed.

Rep. Naifeh moved that Amendment No. 9 be withdrawn, which motion prevailed.

Rep. Fitzhugh requested that Amendment No. 10 be moved to the heel.

Rep. Fitzhugh requested that Amendment No. 11 be moved to the heel.

Rep. Fitzhugh requested that Amendment No. 12 be moved to the heel.

Rep. Fitzhugh requested that Amendment No. 13 be moved to the heel.

Rep. Fitzhugh requested that Amendment No. 14 be moved to the heel.

Rep. Fitzhugh requested that Amendment No. 15 be moved to the heel.

Rep. Fitzhugh moved adoption of Amendment No. 16 as follows:

Amendment No. 16

AMEND House Bill No. 3835 By deleting all of the language following the bold underlined explanatory heading "**LEGISLATIVE AMENDMENT**" and by substituting instead the following:

AND FURTHER AMEND by adding the following new sections:

DEDICATED SOURCE & EARMARKS

SECTION 73.

(a) From the funds appropriated to the Department of Transportation, there is earmarked a sum sufficient for the sole purpose of implementing Chapter 734 of the Public Acts of 2012, Chapter 739 of the Public Acts of 2012, Chapter 740 of the Public Acts of 2012, Senate Bill 2278 / House Bill 2682, Senate Bill 2401 / House Bill 2329, Senate Bill 2678 / House Bill 2803, Senate Bill 2684 / House Bill 2794, Senate Bill 2732 / House Bill 2793, Senate Bill 2733 / House Bill 2878, Senate Bill 2778 / House Bill 3570, House Joint Resolution 872, and Senate Joint Resolution 629, if such bills and resolutions become law.

(b) From the funds appropriated to the Department of Transportation, there is earmarked a sum sufficient for the sole purpose of funding any general bill or resolution, that becomes law, designating an interstate, United States highway or state highway as a memorial highway or as a memorial bridge for certain individuals killed in the line of duty, pursuant to § 54-1-133 or § 54-5-1003, that is not otherwise funded in this act.

(c) This item shall take effect upon becoming a law, the public welfare requiring it.

LEGISLATIVE INITIATIVES

SECTION 74. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 (recurring) to the department of finance and administration for the sole purpose of contracting with a nonprofit organization for promotion of health awareness among Tennessee males. Such nonprofit organization must have been established prior to January 1, 2004; must

have received a contract administered through the Tennessee department of health; must have received funding through the vitamin supplement settlement of June 2003, administered by the Tennessee attorney general's office; and must possess substantial experience with general health outreach and education activities for males in Tennessee, including activities for the general population and the underserved living in Tennessee.

Item 2. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,500,000 (non-recurring) to the Commission on Children and Youth for the sole purpose of continuation of the Children's Program Outcome Review Team (C-PORT) contract.

Item 3. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$15,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Tennessee Intercollegiate State Legislature Foundation, for the sole purpose of programmatic and operational expenses of its 43rd General Assembly caused by the temporary closure of the Tennessee State Capitol.

Item 4. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$335,000 (non-recurring) to the Department of Environment and Conservation for the sole purpose of making a grant in such amount to the West Tennessee River Basin Authority, to be used for major maintenance.

Item 5. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to Tennessee History for Kids, Inc., to be used for programs, services, and operational expenses.

Item 6. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$157,000 (non-recurring) to the Department of Tourist Development for the purposes of web site development, marketing, advertising and other support services for the Tennessee Sesquicentennial Commission.

Item 7. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$4,281,500 (non-recurring) to the Department of Intellectual and Developmental Disabilities for the sole purpose of the family support program.

Item 8. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$2,000,000 (recurring) to the Department of Education for the sole purpose of internet connectivity.

Item 9. In addition to any funds otherwise appropriated by this act, there is appropriated to the Department of Finance and Administration, Bureau of TennCare a sum sufficient, including any federal aid funds, to be expended for

the purpose of fully restoring for fiscal year 2012-2013 the rate reductions applicable to home health providers that were effective January 1, 2012.

Item 10. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$2,000,000 (non-recurring) to the department of finance and administration for the sole purpose of making a grant in such amount to Meharry Medical College, to be used in support of the Meharry HBCU Wellness Project.

Item 11. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 (non-recurring) to the Department of Mental Health for the sole purpose of peer support services.

Item 12. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 (non-recurring) to the Tennessee historical commission for the sole purpose of making a grant in such amount to the Stax Museum in Memphis, to be used for defrayal of operational costs.

Item 13. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$150,000 (non-recurring) to the department of health for the sole purpose of making a grant in such amount to St. Jude Hospital in Memphis, to defray, in whole or in part, the expenses of patients and their families who are citizens and residents of Tennessee in traveling to and from St. Jude Hospital. Such payments shall be administered by the hospital and shall be made on the basis of need. Such patients, or their families, requesting assistance from these funds shall supply such documents supporting need and travel expenses as the hospital may require.

Item 14. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the department of finance and administration for the sole purpose of making a grant in such amount to the National Civil Rights Museum, to be used for renovations, programs, services and operational expenses.

Item 15. In addition to any other funds appropriated by the provisions of this act to the University of Tennessee, there is appropriated the sum of \$180,000 (recurring) to the University of Tennessee at Martin to restore funds reduced in accordance with the provisions of Chapter 473 of the Public Acts of 2011.

Item 16. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$206,300 (non-recurring) to the Department of Health for the sole purpose of the epilepsy program.

Item 17. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$30,600 (non-recurring) to the Department of Health for the sole purpose of shaken baby syndrome services.

Item 18. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$180,000 (non-recurring) to the

Department of Education for the sole purpose of grants-in-aid to science alliance museums.

Item 19. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$85,000 (non-recurring) to the Department of Agriculture for the sole purpose of water quality. One (1) full time position is authorized to be retained.

Item 20. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$801,100 (recurring) to Secretary of State for the sole purpose of restoring base funding for three regional library offices and authorizing no more than 14 positions for the regional library system.

Item 21. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$2,000,000 (non-recurring) to the Department of Health for the sole purpose of continuous enrollment of eligible individuals in the HIV Drug Assistance Program (HDAP). The appropriation in this item is contingent upon notice from the Department of Health, STD/HIV/AIDS Services, that a waiting list for the HDAP program will be instituted within thirty (30) days.

Item 22. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the West Tennessee Seismic Safety Commission, to be used for training, travel, development of programming including public meetings, educational materials for schools and equipment pertaining to research and seismic related programs.

Item 23. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the department of education for the sole purpose of allocating such sum as grants in equal amounts to each Tennessee public television station, to be used for equipment, programs and operational expenses.

Item 24. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$450,000 (recurring) to the Tennessee board of regents for the sole purpose of development and implementation of articulation agreements between public institutions of higher education for the acceptance of credit for courses taken under dual enrollment, dual credit, Advanced Placement, International Baccalaureate and other similar programs.

Item 25. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the Department of Health for the sole purpose of the vaccine billables project.

Item 26. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 (non-recurring) to the Department of Human Services for the sole purpose of making a grant in such amount to the Second Harvest Food Bank of Middle Tennessee, to be used for the purpose of purchasing, handling, and transporting food for hunger relief. The

Second Harvest Food Bank of Middle Tennessee shall distribute the funds to the five (5) food banks across the state, as follows:

35% to Second Harvest Food Bank of Middle Tennessee;

25% to Memphis Food Bank;

20% to Second Harvest Food Bank of East Tennessee;

10% to Chattanooga Area Food Bank;

10% to Second Harvest Food Bank of Northeast Tennessee.

Item 27. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 (non-recurring) to the Tennessee Board of Regents for the sole purpose of development of a comprehensive and collaborative gang and crime reduction strategies program at the University of Memphis / University of Memphis Lambuth Campus in Jackson. It is the legislative intent that such program will connect law enforcement and government agencies in small cities and rural communities throughout west Tennessee and equip them with the necessary tools and support needed for addressing gang and crime activity.

Item 28. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$150,000 (non-recurring) to the Department of Education for the sole purpose of making a grant in such amount to the Education Equal Opportunity Group, Inc. (EEOG), to be used to support student participation in EEOG programs for at-risk and under-served students.

Item 29. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$400,000 (non-recurring) to the Department of Finance and Administration for the purpose of making grants to the Cultural Museum Association of Tennessee for development and research of Underground Railroad sites in Tennessee and coordinated activities with the Civil War Sesquicentennial Commission Celebration. Such grants to be awarded as follows:

Alex Haley Museum of Henning	\$ 50,000
Beck Cultural Exchange Center of Knoxville	\$ 100,000
Betsy Smith Cultural Center of Chattanooga	\$ 100,000
Bradley Academy Museum and Cultural Center of Murfreesboro	\$ 50,000
National Civil Rights Museum of Memphis	\$ 100,000

Item 30. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$15,000,000 (non-recurring) to the

board of regents for the purpose of providing equipment for and expanding programs at the Tennessee technology centers.

Item 31. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$3,964,053 (non-recurring) to the board of regents for the purpose of providing equipment for and expanding programs at the community colleges.

Item 32. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 (non-recurring) to Department of Labor and Workforce Development for the sole purpose of providing free and reduced fee GED testing. It is the intent of the General Assembly that such funding be maximized to provide for educational opportunities to the greatest number of Tennessee citizens.

Item 33. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$10,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to Tennessee CASA, to be used for programs and services.

Item 34. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 (non-recurring) to the TennCare program for the sole purpose of making grants to non-emergency transportation providers to offset the rising cost of fuel. It is the legislative intent that such funds be distributed to non-emergency transportation providers on the basis of the proportion of non-emergency miles provided by each such provider for the TennCare program during fiscal year 2011- 2012.

Item 35. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$30,000,000 (recurring) to the Tennessee student assistance corporation (TSAC) for the sole purpose of supplementing Tennessee student assistance awards.

Item 36. In addition to any other funds appropriated by the provisions of this act, the sum of \$80,000,000 is appropriated in lieu of issuing proposed bonds. The State Funding Board shall take the necessary action to cancel unissued bonds.

Item 37. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$13,140,700 (recurring) to the department of education for the sole purpose of supplementing K-12 capital outlay. In addition, it is the legislative intent that the appropriation of \$10,391,200 otherwise made to the department of education in Section 1 for K-12 capital outlay be recurring.

Item 38. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$16,059,400 (recurring) to the University of Tennessee System and the Tennessee Board of Regents for the sole purpose of restoring base appropriations for higher education academic units. It is the intent of the General Assembly that such appropriation be utilized to reduce tuition increases in such systems.

Item 38. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$10,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Hardeman County Computer Club, to be used for equipment, programs and operational expenses.

Item 40. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$5,000,000 (non-recurring) to the Department of Education for the sole purpose of the career ladder program, extended contracts.

Item 41. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$5,000,000 (recurring) to the district public defenders conference for the sole purpose of making a grant in the amount of \$2,000,000 (recurring) to the 20th Judicial District and a grant in the amount of \$3,000,000 (recurring) to the 30th Judicial District, to be used for operational expenses.

Item 42. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the Tennessee Historical Commission for the sole purpose of research and publication of 1,200 hardbound copies of the next volume of the Biographical Directory of the Tennessee General Assembly.

LANGUAGE AMENDMENTS

SECTION 75. From the funds appropriated by this act, the department of finance and administration is directed to study the increasing prices of gasoline compared to the applicable rate of mileage reimbursement paid to state employees, excluding members of the general assembly, for using personally owned or leased vehicles in the course of official state business. The department shall propose recommendations arising from the study, including recommendations for increasing the rate of reimbursement when the average price of regular gas in this state exceeds four dollars (\$4.00) per gallon or a higher amount, as certified by the American Automobile Association's ("AAA") Daily Fuel Gauge Report. Such recommendations shall be reported to the chairs of the finance, ways and means committees of the senate and the house of representatives no later than December 1, 2012.

SECTION 76. The provisions of this section take effect upon becoming law, the public welfare requiring it. From the appropriations made in this act, there is hereby appropriated a sum sufficient for implementation of any legislation cited, or otherwise described by category, in this act that has an effective date prior to July 1, 2012.

HIGHER EDUCATION LOTTERY SCHOLARSHIPS

AND FURTHER AMEND by adding the following language as new items to Section 52:

5384

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Item 6. From the Lottery for Education Account, there is appropriated a sum sufficient for the sole purpose of implementing any bill relative to the lottery scholarship program that becomes law and is not otherwise funded in this act. AND FURTHER AMEND by requesting the Engrossing Clerk to:

(1) Insert between Sections 64 and 65 of the printed bill any new sections added to the bill so that Sections 65 through 69 of the printed bill will be the renumbered final sections of the engrossed bill;

(2) Delete the bold underlined explanatory headings in this amendment; and

(3) Exclude this paragraph from the engrossed bill

Rep. Sargent moved that Amendment No. 16 be tabled, which motion prevailed by the following vote:

Ayes 64
Noes..... 34

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Carr, Casada, Cobb, Coley, Dean, Dennis, Elam, Eldridge, Evans, Faison, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Todd, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 64

Representatives voting no were: Armstrong, Bass, Brown, Campbell, Camper, Cooper, Curtiss, DeBerry J, DeBerry L, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Jones, Kernell, McDonald, Miller L, Moore, Naifeh, Odom, Parkinson, Pitts, Pruitt, Richardson, Shaw, Shepard, Sontany, Stewart, Tidwell, Towns, Turner J, Turner M, Windle -- 34

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “no” to “aye” on the tabling motion on Amendment No. 16 to **House Bill No. 3835** and have this statement entered in the Journal: Rep(s). Campbell.

APPROPRIATIONS CALENDAR, CONTINUED

Rep. Hardaway moved that Amendment No. 17 be withdrawn, which motion prevailed.

Rep. Hardaway moved that Amendment No. 18 be withdrawn, which motion prevailed.

Rep. Hardaway moved that Amendment No. 19 be withdrawn, which motion prevailed.

Rep. Hardaway moved that Amendment No. 20 be withdrawn, which motion prevailed.

Rep. Hardaway moved that Amendment No. 21 be withdrawn, which motion prevailed.

Rep. Hardaway moved that Amendment No. 22 be withdrawn, which motion prevailed.

Rep. Hardaway moved that Amendment No. 23 be withdrawn, which motion prevailed.

Rep. Hardaway moved that Amendment No. 24 be withdrawn, which motion prevailed.

Rep. Hardaway moved that Amendment No. 25 be withdrawn, which motion prevailed.

Rep. Hardaway moved that Amendment No. 26 be withdrawn, which motion prevailed.

Rep. White moved consideration of Amendment No. 27 as follows:

Amendment No. 27

AMEND House Bill No. 3835 by adding the following language as a new item in Section 74, **LEGISLATIVE INITIATIVES**:

Item _____. In addition to any other funds appropriated by the provision of this act, there is appropriated the sum of \$125,000 (non-recurring) to the department of health for the sole purpose of making a grant in such amount to the Memphis Oral School for the Deaf, to be used for programs and operational expenses.

The motion for consideration of Amendment No. 27 failed by the following vote:

Ayes 45
Noes 48

Representatives voting aye were: Armstrong, Bass, Brown, Camper, Coley, Cooper, Curtiss, DeBerry J, Dunn, Evans, Favors, Fitzhugh, Hall, Hardaway, Harmon, Haynes, Hensley, Hill, Jones, Kernell, Lollar, McDonald, McManus, Miller L, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pruitt, Rich, Richardson, Shaw, Shepard, Sontany, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, White, Windle -- 45

Representatives voting no were: Alexander, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Dean, Elam, Eldridge, Faison, Floyd, Ford, Forgety, Gotto, Halford, Harrison, Hawk, Holt, Hurley, Johnson C, Johnson P, Keisling, Lundberg, Maggart, Marsh, Matheny, McCormick, McDaniel, Miller D, Montgomery, Pody, Powers, Ragan, Ramsey, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Watson, Weaver, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 48

Rep. Sargent requested that Finance, Ways and Means Committee Amendment No. 1 be moved to the heel.

Rep. Fitzhugh moved adoption of Amendment No. 4 as follows:

Amendment No. 4

AMEND House Bill No. 3835 by deleting Item 37 of Section 74.

5386

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AND FURTHER AMEND by deleting from Item 13 of Section 74 the language "the sum of \$316,000 (non-recurring) to the Department of Human Services" and by substituting instead the following:

the sum of \$516,000 (non-recurring) to the Department of Human Services

Rep. Sargent moved that Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes	64
Noes	32

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Dean, Dennis, Dunn, Elam, Eldridge, Faison, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Todd, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 64

Representatives voting no were: Armstrong, Bass, Brown, Camper, Cooper, Curtiss, DeBerry J, DeBerry L, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Jones, McDonald, Miller L, Moore, Naifeh, Odom, Parkinson, Pitts, Pruitt, Richardson, Shaw, Shepard, Sontany, Stewart, Tidwell, Towns, Turner J, Turner M, Windle -- 32

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "no" on the tabling motion on Amendment No. 4 to **House Bill No. 3835** and have this statement entered in the Journal: Rep(s). Kernell.

APPROPRIATIONS CALENDAR, CONTINUED

Rep. L. Miller moved adoption of Amendment No. 5 as follows:

Amendment No. 5

AMEND House Bill No. 3835 by deleting from Item 43 of Section 74 the language "the sum of \$500,000 (non-recurring) to the Tennessee Arts Commission" and by substituting instead the following:

the sum of \$300,000 (non-recurring) to the Tennessee Arts Commission

AND FURTHER AMEND by adding the following new item to Section 74:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$200,000 (non-recurring) to the Tennessee historical commission for the sole purpose of making a grant in such

amount to the Stax Museum in Memphis, to be used for defrayal of operational costs.

Rep. Sargent moved that Amendment No. 5 be tabled, which motion prevailed by the following vote:

Ayes	65
Noes.....	31

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Dean, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Todd, Watson, Weaver, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 65

Representatives voting no were: Armstrong, Bass, Brown, Camper, Cooper, Curtiss, DeBerry J, DeBerry L, Favors, Fitzhugh, Gilmore, Hardaway, Jones, Kernell, McDonald, Miller L, Moore, Naifeh, Odom, Parkinson, Pitts, Pruitt, Richardson, Shaw, Shepard, Sontany, Stewart, Tidwell, Towns, Turner J, Turner M -- 31

Rep. Fitzhugh moved that Amendment No. 6 be withdrawn, which motion prevailed.

Rep. Sexton moved adoption of Amendment No. 7 as follows:

Amendment No. 7

AMEND House Bill No. 3835 by adding the following new section immediately preceding the section that requests the Code Commission to denote acts failing to receive first year's funding (Section 65 of the printed bill) and by renumbering the subsequent sections accordingly:

SECTION _____. From funds appropriated to the Department of Children's Services, there is earmarked the sum of \$11,682,700 for the sole purpose of providing on-going services at the James M. Taft Youth Center. 193 positions are authorized to be maintained. The Commissioner of Finance and Administration is authorized to adjust adjust federal and other departmental revenue accordingly.

Rep. McCormick moved that Amendment No. 7 be tabled, which motion was immediately withdrawn.

Rep. K. Williams moved the previous question on Amendment No. 7 , which motion prevailed by the following vote:

Ayes	83
Noes.....	12
Present and not voting.....	1

Representatives voting aye were: Alexander, Armstrong, Brooks H, Brooks K, Butt, Carr, Casada, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, 5388

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THURSDAY, APRIL 26, 2012 – EIGHTIETH LEGISLATIVE DAY UNOFFICIAL VERSION

Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Todd, Turner J, Turner M, Watson, Weaver, White, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 83

Representatives voting no were: Bass, Brown, Cobb, Cooper, Jones, Keisling, Kernell, Moore, Naifeh, Tidwell, Towns, Williams K -- 12

Representatives present and not voting were: Campbell -- 1

On motion, Amendment No. 7 failed by the following vote:

Ayes	38
Noes.....	60

Representatives voting aye were: Bass, Brown, Camper, Cobb, Cooper, Curtiss, DeBerry J, DeBerry L, Favors, Fitzhugh, Forgety, Gilmore, Hall, Hardaway, Harmon, Jones, Keisling, Kernell, McDonald, Miller L, Moore, Naifeh, Odom, Parkinson, Pitts, Pruitt, Richardson, Sexton, Shaw, Shepard, Sontany, Stewart, Tidwell, Towns, Turner J, Turner M, Williams R, Windle -- 38

Representatives voting no were: Alexander, Armstrong, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Coley, Dean, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford, Gotto, Halford, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Shipley, Sparks, Swann, Todd, Watson, Weaver, White, Williams K, Wirgau, Womick, Madam Speaker Harwell -- 60

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on Amendment No. 7 to **House Bill No. 3835** and have this statement entered in the Journal: Rep(s). Forgety.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “no” to “aye” on the previous question to Amendment No. 7 to **House Bill No. 3835** and have this statement entered in the Journal: Rep(s). K. Williams.

APPROPRIATIONS CALENDAR, CONTINUED

Rep. Fitzhugh moved adoption of Amendment No. 10 as follows:

Amendment No. 10

5389

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AMEND House Bill No. 3835 by adding the following language as a new item in Section 74, **LEGISLATIVE INITIATIVES**:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$13,140,700 (recurring) to the department of education for the sole purpose of supplementing K-12 capital outlay. In addition, it is the legislative intent that the appropriation of \$10,391,200 otherwise made to the department of education in Section 1 for K-12 capital outlay be recurring.

Rep. Sargent moved that Amendment No. 10 be tabled, which motion prevailed by the following vote:

Ayes 65
Noes..... 32

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Dean, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Todd, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 65

Representatives voting no were: Armstrong, Bass, Brown, Camper, Cooper, Curtiss, DeBerry J, DeBerry L, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Jones, Kernell, McDonald, Miller L, Moore, Naifeh, Parkinson, Pitts, Pruitt, Richardson, Shaw, Shepard, Sontany, Stewart, Tidwell, Towns, Turner J, Turner M, Windle -- 32

Rep. Fitzhugh moved adoption of Amendment No. 11 as follows:

Amendment No. 11

AMEND House Bill No. 3835 by adding the following language as a new item in Section 74, **LEGISLATIVE INITIATIVES**:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$16,059,400 (recurring) to the University of Tennessee System and the Tennessee Board of Regents for the sole purpose of restoring base appropriations for higher education academic units. It is the intent of the General Assembly that such appropriation be utilized to reduce tuition increases in such systems.

Rep. Sargent moved that Amendment No. 11 be tabled, which motion prevailed by the following vote:

Ayes 65
Noes..... 32

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Dean, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford,

Forgety, Gotto, Halford, Hall, Harrison, Hawk, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Todd, Turner M, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 65

Representatives voting no were: Armstrong, Bass, Brown, Camper, Cooper, Curtiss, DeBerry J, DeBerry L, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Haynes, Jones, Kernell, McDonald, Miller L, Moore, Naifeh, Parkinson, Pitts, Pruitt, Richardson, Shaw, Shepard, Sontany, Stewart, Tidwell, Towns, Turner J, Windle -- 32

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Odom

APPROPRIATIONS CALENDAR, CONTINUED

Rep. Fitzhugh moved adoption of Amendment No. 12 as follows:

Amendment No. 12

AMEND House Bill No. 3835 by adding the following language as new items in Section 74, **LEGISLATIVE INITIATIVES**:

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$15,000,000 (non-recurring) to the board of regents for the purpose of providing equipment for and expanding programs at the Tennessee technology centers.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$3,964,053 (non-recurring) to the board of regents for the purpose of providing equipment for and expanding programs at the community colleges.

Rep. Sargent moved that Amendment No. 12 be tabled, which motion prevailed by the following vote:

Ayes	66
Noes	31

Representatives voting aye were: Alexander, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Dean, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Powers, Ragan,

Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Todd, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 66

Representatives voting no were: Armstrong, Bass, Camper, Cooper, Curtiss, DeBerry J, DeBerry L, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Jones, Kernell, McDonald, Miller L, Moore, Naifeh, Parkinson, Pitts, Pruitt, Richardson, Shaw, Shepard, Sontany, Stewart, Tidwell, Towns, Turner J, Turner M, Windle -- 31

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on the tabling motion on Amendment No. 12 to **House Bill No. 3835** and have this statement entered in the Journal: Rep(s). Brown.

APPROPRIATIONS CALENDAR, CONTINUED

Rep. Fitzhugh moved adoption of Amendment No. 13 as follows:

Amendment No. 13

AMEND House Bill No. 3835 by adding the following language as a new item in Section 74, **LEGISLATIVE INITIATIVES**:

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$30,000,000 (recurring) to the Tennessee student assistance corporation (TSAC) for the sole purpose of supplementing Tennessee student assistance awards.

Rep. Sargent moved that Amendment No. 13 be tabled, which motion prevailed by the following vote:

Ayes 65
Noes..... 31

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Dean, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Todd, Turner M, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 65

Representatives voting no were: Armstrong, Bass, Brown, Camper, Cooper, Curtiss, DeBerry J, DeBerry L, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Jones, Kernell, McDonald, Miller L, Moore, Naifeh, Parkinson, Pitts, Pruitt, Richardson, Shaw, Shepard, Sontany, Stewart, Tidwell, Towns, Turner J, Windle -- 31

Rep. Fitzhugh moved adoption of Amendment No. 14 as follows:

Amendment No. 14

AMEND House Bill No. 3835 by adding the following language as a new item in Section 74, **LEGISLATIVE INITIATIVES**:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 (non-recurring) to Department of Labor and Workforce Development for the sole purpose of providing free and reduced fee GED testing. It is the intent of the General Assembly that such funding be maximized to provide for educational opportunities to the greatest number of Tennessee citizens.

Rep. Sargent moved that Amendment No. 14 be tabled, which motion prevailed by the following vote:

Ayes 61
Noes 32

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Carr, Casada, Cobb, Coley, Dean, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Todd, Watson, Weaver, White, Williams R, Womick, Madam Speaker Harwell -- 61

Representatives voting no were: Armstrong, Bass, Brown, Camper, Cooper, Curtiss, DeBerry J, DeBerry L, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Jones, Kernell, McDonald, Miller L, Moore, Naifeh, Parkinson, Pitts, Pruitt, Richardson, Shaw, Shepard, Sontany, Stewart, Tidwell, Towns, Turner J, Turner M, Windle -- 32

Rep. Evans moved adoption of Amendment No. 15 as follows:

Amendment No. 15

AMEND House Bill No. 3835 by adding the following language as a new items in Section 74, **LEGISLATIVE INITIATIVES**:

Item _____. In addition to any other funds appropriated by the provision of this act, there is appropriated the sum of \$125,000 (non-recurring) to the department of health for the sole purpose of making a grant in such amount to the Memphis Oral School for the Deaf, to be used for programs and operational expenses.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$75,000 (non-recurring) to the Department of Education for the sole purpose of making a grant in such amount to the Education Equal Opportunity Group, Inc. (EEOG), to be used to support student participation in EEOG programs for at-risk and under-served students.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$30,000 (non-recurring) to the

Tennessee Historical Commission for the sole purpose of the continuation of the historical interpretation pilot project. It is the intent of the General Assembly that such funds be distributed to the same property funded in Section 77, Item 7, of Chapter 473 of the Public Acts of 2011.

Rep. Sargent moved that Amendment No. 15 be tabled, which motion prevailed by the following vote:

Ayes	57
Noes	38

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Dean, Elam, Eldridge, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Niceley, Pody, Powers, Ragan, Ramsey, Roach, Sanderson, Sargent, Shipley, Sparks, Swann, Todd, Watson, Weaver, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 57

Representatives voting no were: Armstrong, Bass, Brown, Camper, Cobb, Coley, Cooper, Curtiss, DeBerry J, DeBerry L, Dennis, Evans, Faison, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Jones, Kernell, McDonald, Moore, Naifeh, Parkinson, Pitts, Rich, Richardson, Sexton, Shaw, Shepard, Sontany, Stewart, Tidwell, Towns, Turner J, Turner M, White, Windle -- 38

Rep. Sargent moved that Finance, Ways and Means Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that **House Bill No. 3835**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	66
Noes	30

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Coley, Dean, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Parkinson, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Todd, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 66

Representatives voting no were: Armstrong, Bass, Brown, Camper, Cobb, Cooper, Curtiss, DeBerry J, DeBerry L, Favors, Fitzhugh, Hardaway, Harmon, Jones, Kernell, McDonald, Miller L, Moore, Naifeh, Pitts, Richardson, Shaw, Shepard, Sontany, Stewart, Tidwell, Towns, Turner J, Turner M, Windle -- 30

A motion to reconsider was tabled.

***House Bill No. 3836** -- Bond Issues - As introduced, authorizes the state to issue and sell its bonds and bond anticipation notes in amounts not to exceed \$381,900,000. - AN ACT to authorize the State of Tennessee, acting by resolution of its funding board, to issue and sell its bonds and bond anticipation notes in amounts not to exceed three hundred eighty-one million nine hundred thousand dollars (\$381,900,000) for the purpose of providing funds to the Department of Finance and Administration and the Department of Transportation; to provide for acquisition of equipment and sites, and erection, construction and equipment of sites and buildings, expressly including the acquisition of existing structures for expansion, improvements, betterments, and extraordinary repairs to existing structures, for construction of highways, and repair, replacement or rehabilitation of bridges, and for grants to any county, metropolitan government, incorporated town, city, special district of the state, or any governmental agency or instrumentality of any of them; to provide funds for the state office buildings and support facilities revolving fund; and to provide funds for the acquisition and implementation of an interoperable communication system upgrade, and to provide for the expenditure of said funds; to issue its debt in excess of the previously stated amount to fund discount and costs of issuance; and to provide for the expenditure of said funds. This act makes appropriations for an indefinite period of time for the purpose of allocating the proceeds of the bonds and notes authorized by this act. by *Sargent, *McCormick. (SB3769 by *Norris)

Rep. Sargent moved that **House Bill No. 3836** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 85
Noes..... 11

Representatives voting aye were: Alexander, Armstrong, Brooks H, Brooks K, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Swann, Tidwell, Todd, Turner J, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 85

Representatives voting no were: Bass, Brown, Cooper, Hardaway, Harmon, Jones, Moore, Stewart, Towns, Turner M, Windle -- 11

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. L. DeBerry voted “aye” on **House Bill No. 3836**.

APPROPRIATIONS CALENDAR, CONTINUED

***House Bill No. 3837** -- Budget Procedures - As introduced, authorizes the index of appropriations from state tax revenues for the 2011-2012 fiscal year to exceed the index of estimated growth in the state's economy by \$250,000,000 or 2.01 percent. by *Sargent, *McCormick. (SB3770 by *Norris)

Rep. Sargent moved that **House Bill No. 3837** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	81
Noes.....	13
Present and not voting.....	1

Representatives voting aye were: Alexander, Armstrong, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Elam, Eldridge, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Haynes, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Swann, Tidwell, Todd, Turner J, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 81

Representatives voting no were: Camper, Cooper, Dunn, Evans, Hardaway, Hensley, Jones, Moore, Richardson, Stewart, Towns, Turner M, Windle -- 13

Representatives present and not voting were: Brown -- 1

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Kernell voted “aye” on **House Bill No. 3837**.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on **House Bill No. 3837** and have this statement entered in the Journal: Rep(s). Holt.

5396

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RECESS MOTION

Rep. McCormick moved that the House stand in recess until 5:15 p.m., today, which motion prevailed.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 816 Rep(s). Armstrong and L. DeBerry as prime sponsor(s).

House Joint Resolution No. 1118 Rep(s). J. DeBerry as prime sponsor(s).

House Joint Resolution No. 1119 Rep(s). J. DeBerry as prime sponsor(s).

House Joint Resolution No. 1120 Rep(s). J. DeBerry as prime sponsor(s).

House Bill No. 2678 Rep(s). Bass as prime sponsor(s).

House Bill No. 2888 Rep(s). Camper, Moore, Richardson, Hardaway and Lollar as prime sponsor(s).

House Bill No. 2889 Rep(s). Favors, Brown, Faison, Womick, Weaver, B. Cooper, Windle, Montgomery, Roach, Hardaway, Wirgau, Ragan, Halford, Haynes, L. Miller, Gilmore, Camper, McManus, Dennis, Swann, Hall, Hill, Ford, Hurley, Marsh, Keisling, Sexton, White, Shipley, Coley, R. Williams, Shepard, Towns, Moore, H. Brooks, Hensley, Lollar, D. Miller, Sanderson, McDonald, McCormick, Lundberg, Eldridge, Holt, Shaw, Matheny and J. Turner as prime sponsor(s).

MESSAGE FROM THE SENATE

April 26, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1935, 3106, 3264, 3330 and 3350; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 1935 -- Physicians and Surgeons - As introduced, establishes requirements for the supervision of nurses and physician assistants by certain physicians when engaged in interventional pain management. - Amends TCA Title 63. by *McNally. (*HB1896 by *Hensley)

***Senate Bill No. 3106** -- Taxes - As introduced, requires that a seller and certified service provider engage in at least two sales transactions, instead of one, in order to constitute a recurring business relationship for purposes of exempting them from renewing blanket sales

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and use tax exemption certificates. - Amends TCA Title 7 and Title 67. by *Norris. (HB3722 by *McCormick, *Sargent)

Senate Bill No. 3264 -- Sports - As introduced, revises the Tennessee Athletic Commission Act of 2008. - Amends TCA Title 68, Chapter 115. by *Tate, *Ketron. (*HB3472 by *Todd, *Harrison)

Senate Bill No. 3330 -- Public Officials - As introduced, revises provisions governing bonds required of certain public officials. - Amends TCA Title 5; Title 6; Title 7; Title 8; Title 9; Title 13; Title 18; Title 49; Title 54 and Title 67. by *Ketron. (*HB3526 by *Haynes)

Senate Bill No. 3350 -- Election Laws - As introduced, revises various provisions related to elections. - Amends TCA Section 2-13-203(d); Section 2-14-106(a); Section 2-14-202(b); Section 2-2-111(b); Section 2-2-114(b); Section 2-2-129(a)(1); Section 2-3-101(a); Section 2-3-103; Section 2-4-108(b); Section 2-5-151(c); Section 2-6-102(a)(1); Section 2-6-103(a)(1); Section 2-8-104; Section 2-9-109(b) and Section 67-6-707(2). by *Ketron. (*HB3289 by *Wirgau)

RECESS EXPIRED

The recess having expired, the House was called to order by Madam Speaker Harwell.

ROLL CALL DISPENSED WITH

On motion of Rep. McCormick, the roll call was dispensed with.

REGULAR CALENDAR NO. 2

House Bill No. 3697 -- Ethics - As introduced, requires members of local and regional planning commissions to file disclosure statements of conflict of interests with Tennessee ethics commission. - Amends TCA Title 8, Chapter 50, Part 5. by *Gotto (*SB3649 by *Tracy, *Ramsey, *Ketron)

On motion, House Bill No. 3697 was made to conform with **Senate Bill No. 3649**; the Senate Bill was substituted for the House Bill.

Rep. Gotto moved that **Senate Bill No. 3649** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes.....	2
Present and not voting.....	1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel,

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McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Niceley, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 88

Representatives voting no were: Harmon, Hurley -- 2

Representatives present and not voting were: Brown -- 1

A motion to reconsider was tabled.

***House Bill No. 3070** -- Children - As introduced, requires petitions in juvenile court cases to list the legal parents and any persons alleged to be the biological father of the child; requires a copy of the summons in such cases be sent to the legal parents and any persons alleged to be the biological father of the child. - Amends TCA Section 37-1-121 and Section 37-1-120. by *DeBerry J, *Jones S (SB2958 by *Barnes)

On motion, House Bill No. 3070 was made to conform with **Senate Bill No. 2958**; the Senate Bill was substituted for the House Bill.

Rep. J. DeBerry moved that Senate Bill No. 2958 be passed on third and final consideration.

Rep. Watson moved that Judiciary Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. J. DeBerry moved that **Senate Bill No. 2958** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95

Noes..... 1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

Representatives voting no were: Hurley -- 1

A motion to reconsider was tabled.

***House Bill No. 3071** -- Children - As introduced, states that training for guardians ad litem shall include early childhood, child and adolescent development provided by a qualified

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professional; requires permanency hearings for children in foster care to be held within 12 months of previous permanency hearing. - Amends TCA Section 37-1-149; Section 37-2-409 and Section 37-1-129. by *DeBerry J (SB2957 by *Barnes)

On motion, House Bill No. 3071 was made to conform with **Senate Bill No. 2957**; the Senate Bill was substituted for the House Bill.

Rep. J. DeBerry moved that **Senate Bill No. 2957** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

House Bill No. 3157 -- Insurance, Health, Accident - As introduced, states that coverage made available in plans under the Memphis Plan Act of 1991 shall constitute minimum essential health coverage for purposes of compliance with certain federal minimum coverage requirements. - Amends TCA Title 56, Chapter 7. by *DeBerry J (*SB2943 by *Norris)

Rep. J. DeBerry requested that House Bill No. 3157 be moved to the heel of the Calendar.

***House Bill No. 3076** -- Water Pollution - As introduced, authorizes municipal separate storm sewer systems that become qualified local programs pursuant to department approval to administer their own NPDES storm water construction permitting programs and the review thereof. - Amends TCA Title 69, Chapter 3, Part 1. by *Williams R. (SB3187 by *Bell)

On motion, House Bill No. 3076 was made to conform with **Senate Bill No. 3187**; the Senate Bill was substituted for the House Bill.

Rep. R. Williams moved that Senate Bill No. 3187 be passed on third and final consideration.

Rep. Lollar moved that Conservation and Environment Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. R. Williams moved that **Senate Bill No. 3187** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0
Present and not voting..... 1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

Representatives present and not voting were: McDonald -- 1

A motion to reconsider was tabled.

House Bill No. 3659 -- Consumer Protection - As introduced, allows the commissioner of commerce and insurance to provide, upon request, a list of acceptable corporate sureties from whom a health club may obtain the required surety bond. - Amends TCA Title 47, Chapter 18. by *Stewart. (*SB3301 by *Barnes)

Rep. Stewart moved that House Bill No. 3659 be passed on third and final consideration.

Rep. McManus moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3659 by deleting the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 47-18-104(b), is amended by adding the following new subdivisions thereto:

() Engaging in a ponzi scheme, defined as a fraudulent investment scheme in which money placed by later investors pays artificially high dividends to the original investor, thereby attracting even larger investments;

() Making fraudulent statements or intentional omissions in order to induce a consumer to sell securities or other things of value to fund an investment;

SECTION 2. Tennessee Code Annotated, Section 47-18-104, is amended by adding the following as a new subsection thereto:

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(f) For the purposes of section (b), investment does not include a security defined in § 48-2-102(17) or any insurance or annuity contract.

SECTION 3. This act shall take effect July 1, 2012, the public welfare requiring it.

On motion, Commerce Committee Amendment No. 1 was adopted.

Rep. Stewart moved that **House Bill No. 3659**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes 1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

Representatives voting no were: Hurley -- 1

A motion to reconsider was tabled.

***House Bill No. 2363** -- Intellectual & Developmental Disabilities - As introduced, revises various provisions governing the licensing of facilities and personal support services agencies for persons with intellectual and developmental disabilities. - Amends TCA Title 4 and Title 33. by *McCormick, *Faison, *Hurley. (SB2225 by *Norris, *Watson)

On motion, House Bill No. 2363 was made to conform with **Senate Bill No. 2225**; the Senate Bill was substituted for the House Bill.

Rep. Faison moved that Senate Bill No. 2225 be passed on third and final consideration.

Rep. Casada moved that Health and Human Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Faison moved that **Senate Bill No. 2225** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

***House Bill No. 3289** -- Election Laws - As introduced, revises various provisions related to elections. - Amends TCA Section 2-13-203(d); Section 2-14-106(a); Section 2-14-202(b); Section 2-2-111(b); Section 2-2-114(b); Section 2-2-129(a)(1); Section 2-3-101(a); Section 2-3-103; Section 2-4-108(b); Section 2-5-151(c); Section 2-6-102(a)(1); Section 2-6-103(a)(1); Section 2-8-104; Section 2-9-109(b) and Section 67-6-707(2). by *Wirgau. (SB3350 by *Ketron)

On motion, House Bill No. 3289 was made to conform with **Senate Bill No. 3350**; the Senate Bill was substituted for the House Bill.

Rep. Wirgau moved that Senate Bill No. 3350 be passed on third and final consideration.

Rep. Ramsey moved that State and Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Ramsey moved that State and Local Government Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Sargent moved that Finance, Ways and Means Committee Amendment No. 1, as House Amendment No. 3, be withdrawn, which motion prevailed.

Rep. Wirgau moved that **Senate Bill No. 3350** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes.....	6

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Swann, Tidwell, Todd, Towns, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 88

Representatives voting no were: Brown, Hardaway, Kernell, McDonald, Stewart, Turner
J -- 6

A motion to reconsider was tabled.

***House Bill No. 3874** -- Taxes, Hotel Motel - As introduced, subject to local approval, creates Tourism Board for Blount County, Alcoa and Maryville and allocates portion of the Blount County occupancy tax to such board. - Amends Chapter 102 of the Private Acts of 1979; as amended. by *Swann, *Ramsey. (SB3802 by *Overbey)

Rep. Swann moved that **House Bill No. 3874** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes.....	1
Present and not voting.....	3

Representatives voting aye were: Armstrong, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Pitts, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 89

Representatives voting no were: Parkinson -- 1

Representatives present and not voting were: Bass, Pody, Powers -- 3

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "no" to "aye" on **House Bill No. 3874** and have this statement entered in the Journal: Rep(s). Parkinson.

REGULAR CALENDAR NO. 2, CONTINUED

***House Bill No. 2675** -- Education - As introduced, requires teachers instructing in subjects wherein an end-of-course exam is administered to take such exam, provided annually by the state board of education, and pass with a score of 75 or greater. - Amends TCA Title 49, Chapter 6. by *Carr. (SB3341 by *Ketron)

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On motion, House Bill No. 2675 was made to conform with **Senate Bill No. 3341**; the Senate Bill was substituted for the House Bill.

Rep. Carr moved that Senate Bill No. 3341 be passed on third and final consideration.

Rep. Montgomery moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Carr moved that **Senate Bill No. 3341** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	77
Noes.....	15
Present and not voting.....	3

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Butt, Campbell, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford, Gilmore, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Montgomery, Moore, Niceley, Parkinson, Pitts, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Swann, Todd, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 77

Representatives voting no were: Armstrong, Brown, Cooper, Favors, Fitzhugh, Forgety, Hardaway, Jones, Miller L, Naifeh, Pody, Stewart, Towns, Turner J, Turner M -- 15

Representatives present and not voting were: Camper, Richardson, Tidwell -- 3

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Evans voted “aye” on **Senate Bill No. 3341**.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on **Senate Bill No. 3341** and have this statement entered in the Journal: Rep(s). L. DeBerry.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **Senate Bill No. 3341** and have this statement entered in the Journal: Rep(s). Carr.

REGULAR CALENDAR NO. 2, CONTINUED

THURSDAY, APRIL 26, 2012 – EIGHTIETH LEGISLATIVE DAY UNOFFICIAL VERSION

***House Bill No. 2678** -- Bail, Bail Bonds - As introduced, declares a defendant who is unlawfully present in the United States and has committed certain traffic violations to be deemed a risk of flight for bail purposes; authorizes clerks to set bail for such defendants at a higher amount than normally permitted. - Amends TCA Title 39; Title 40 and Title 55. by *Carr. (SB2604 by *Beavers, *Roberts)

On motion, House Bill No. 2678 was made to conform with **Senate Bill No. 2604**; the Senate Bill was substituted for the House Bill.

Rep. Carr moved that Senate Bill No. 2604 be passed on third and final consideration.

Rep. Sargent moved that Finance, Ways and Means Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Carr moved that **Senate Bill No. 2604** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	84
Noes.....	10

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shepard, Shipley, Sontany, Sparks, Swann, Tidwell, Todd, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 84

Representatives voting no were: Cooper, DeBerry L, Favors, Gilmore, Parkinson, Richardson, Shaw, Stewart, Towns, Turner J -- 10

A motion to reconsider was tabled.

SPECIAL ORDER

Without objection, Rep. Dunn moved the House take up the Consent Calendar out of order at this time.

CONSENT CALENDAR

House Resolution No. 292 -- Memorials, Recognition - Pierce Moore. by *Moore.

House Resolution No. 293 -- Memorials, Recognition - Savannah Taylor. by *Moore.

House Resolution No. 294 -- Memorials, Recognition - Jackson Taylor. by *Moore.

House Resolution No. 295 -- Memorials, Recognition - Isaac Dockery. by *Montgomery.

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House Joint Resolution No. 1092 -- Memorials, Death - William Thomas McCarter. by *Swann, *Ramsey.

House Joint Resolution No. 1094 -- Memorials, Academic Achievement - Jada Bowie, Valedictorian, Wooddale High School. by *Camper.

House Joint Resolution No. 1095 -- Memorials, Academic Achievement - Courtney Bratcher, Salutatorian, Oakhaven High School. by *Camper.

House Joint Resolution No. 1096 -- Memorials, Academic Achievement - Kimberly McGowan, Salutatorian, Wooddale High School. by *Camper.

House Joint Resolution No. 1097 -- Memorials, Academic Achievement - Leonides Flores, Valedictorian, Oakhaven High School. by *Camper.

House Joint Resolution No. 1098 -- Memorials, Recognition - Southside High Class of 75 Reunion, Labor Day Weekend, 2012. by *Camper.

House Joint Resolution No. 1099 -- Memorials, Academic Achievement - Houston Noah Daniel, Salutatorian, Dickson County High School. by *Shepard.

House Joint Resolution No. 1100 -- Memorials, Academic Achievement - Dalton Turner, Valedictorian, Dickson County High School. by *Shepard.

House Joint Resolution No. 1101 -- Memorials, Interns - Christopher Kandt. by *Sparks.

House Joint Resolution No. 1102 -- Memorials, Interns - Amanda Daniel. by *Brooks H.

House Joint Resolution No. 1103 -- Memorials, Recognition - Logan Chase Gann, Every Drop Counts Scholarship. by *Weaver.

House Joint Resolution No. 1104 -- Memorials, Recognition - Sterling Francis, Jr., Every Drop Counts Scholarship. by *Weaver.

House Joint Resolution No. 1105 -- Memorials, Recognition - Jessica Lancaster, Every Drop Counts Scholarship. by *Weaver.

House Joint Resolution No. 1106 -- Memorials, Recognition - Hannah Peek, Every Drop Counts Scholarship. by *Weaver.

House Joint Resolution No. 1107 -- Memorials, Recognition - Natalie Newbill, Miss Black Tennessee. by *Gilmore.

House Joint Resolution No. 1108 -- Memorials, Interns - Melinda Ann Smartt. by *Hawk.

Rep. Camper moved that all members voting aye on House Joint Resolution No. 1098 be added as co-prime sponsors, with the Shelby County delegation listed first, which motion

prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

Rep. Gilmore moved that the Davidson County delegation be added as co-prime sponsors on House Joint Resolution No. 1107, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

BILLS WITHDRAWN

On motion of Rep. L. DeBerry, **House Joint Resolution No. 1110** was withdrawn from the House.

REGULAR CALANDER NO. 2, CONTINUED

***House Bill No. 3583** -- Schools, Charter - As introduced, deletes an obsolete provision that required a charter school task force to file a report that has now been filed. - Amends TCA Title 49. by *Carr. (SB3553 by *Tracy)

On motion, House Bill No. 3583 was made to conform with **Senate Bill No. 3553**; the Senate Bill was substituted for the House Bill.

Rep. Carr moved that Senate Bill No. 3553 be passed on third and final consideration.

Rep. Montgomery moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Carr moved that **Senate Bill No. 3553** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes.....	3
Present and not voting.....	2

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

Representatives voting no were: McDonald, Turner J, Turner M -- 3

Representatives present and not voting were: Brown, Favors -- 2

A motion to reconsider was tabled.

***House Bill No. 3584** -- Education, Higher - As introduced, removes public institutions of higher education from requirements of blind vending facilities. - Amends TCA Section 49-8-118 and Section 71-4-502. by *Carr. (SB3503 by *Tate, *Ketron)

Rep. Carr moved that House Bill No. 3584 be reset for the Regular Calendar Addendum on April 27, 2012 which motion prevailed.

***House Bill No. 2738** -- Teachers, Principals and School Personnel - As introduced, prohibits abolition of a position as a means of avoiding dismissal charges against a teacher; specifies certain procedures for rejecting a teacher whose position has been abolished for reemployment. - Amends TCA Title 49, Chapter 5, Part 5. by *Pitts. (SB2693 by *Haynes, *Barnes)

On motion, House Bill No. 2738 was made to conform with **Senate Bill No. 2693**; the Senate Bill was substituted for the House Bill.

Rep. Pitts moved that Senate Bill No. 2693 be passed on third and final consideration.

Rep. Montgomery moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Pitts moved that **Senate Bill No. 2693** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
------------	----

Noes..... 2

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Watson, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

Representatives voting no were: Haynes, Weaver -- 2

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “no” to “aye” on **Senate Bill No. 2693** and have this statement entered in the Journal: Rep(s). Haynes.

REGULAR CALENDAR NO. 2, CONTINUED

***House Bill No. 2888** --Liens - As introduced, creates the Class E felony of preparing, signing or filing a lien or other document intended to encumber land when the person has no reasonable legal basis for placing the lien on the property. - Amends TCA Title 39, Chapter 17, Part 1. by *Coley, *Watson, *Maggart, *Lundberg, *Matheny. (SB2890 by *Kelsey)

On motion, House Bill No. 2888 was made to conform with **Senate Bill No. 2890**; the Senate Bill was substituted for the House Bill.

Rep. Coley moved that Senate Bill No. 2890 be passed on third and final consideration.

Rep. Watson moved that Judiciary Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that Finance, Ways and Means Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Coley moved that **Senate Bill No. 2890** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J,

DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “no” to “aye” on **Senate Bill No. 2693** and have this statement entered in the Journal: Rep(s). Weaver.

REGULAR CALENDAR NO. 2, CONTINUED

House Bill No. 1507 -- Education - As introduced, requires the commissioner of education and executive director of the Tennessee higher education commission to present annual progress reports on Tennessee Challenge 2000 goals by March 15 to the select joint committee on education and education committees of the house and senate. - Amends TCA Title 8 and Title 49. by *Maggart. (*SB1180 by *Gresham, *Summerville)

On motion, House Bill No. 1507 was made to conform with **Senate Bill No. 1180**; the Senate Bill was substituted for the House Bill.

Rep. Maggart moved that Senate Bill No. 1180 be passed on third and final consideration.

Rep. Montgomery moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Fitzhugh moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1180 by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION __. Tennessee Code Annotated, Section 49-5-503(4), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(4) Has received evaluations demonstrating an overall performance effectiveness level of "meets expectations", "above expectations" or "significantly above expectations" as provided in the

evaluation guidelines adopted by the state board of education pursuant to § 49-1-302, during the last two (2) years of the probationary period; and

SECTION __. Tennessee Code Annotated, Section 49-5-504(a)(2), is amended by deleting the subdivision in its entirety and by substituting instead the following;

(2) Received evaluations demonstrating an overall performance effectiveness level of "meets expectations", "above expectations" or "significantly above expectations" provided by the evaluation guidelines adopted by the state board of education pursuant to § 49-1-302, during the last two (2) years of the teacher's probationary period.

SECTION __. Tennessee Code Annotated, Section 49-5-504(e), is amended by deleting the subsection in its entirety and by substituting instead the following:

(e) Any teacher who, after acquiring tenure status, receives two (2) consecutive years of evaluations demonstrating an overall performance effectiveness level of "below expectations" or "significantly below expectations", as provided by the evaluation guidelines adopted by the state board of education pursuant to § 49-1-302, shall be returned to probationary status by the director of schools until the teacher has received two (2) consecutive years of evaluations demonstrating an overall performance effectiveness level of "meets expectations", "above expectations" or "significantly above expectations". When a teacher who has returned to probationary status has received two (2) consecutive years of evaluations demonstrating an overall performance effectiveness level of "meets expectations", "above expectations" or "significantly above expectations", the teacher is again eligible for tenure and shall be either recommended by the director of schools for tenure or nonrenewed; provided, however, that the teacher cannot be continued in employment if tenure is not granted by the board of education.

Rep. Maggart moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes	59
Noes.....	35

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Dean, Dennis, Dunn, Elam, Eldridge, Floyd, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Powers, Ragan, Ramsey, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Todd, Watson, Weaver, White, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 59

Representatives voting no were: Armstrong, Bass, Brown, Camper, Coley, Cooper, Curtiss, DeBerry J, DeBerry L, Faison, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Jones,

Kernell, McDonald, Miller L, Moore, Naifeh, Parkinson, Pitts, Pruitt, Richardson, Shaw, Shepard, Sontany, Stewart, Tidwell, Towns, Turner J, Turner M, Williams K, Windle -- 34

Rep. Stewart moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 1180 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 16, is amended by adding the following language as a new section:

49-16-____. Local education agencies that propose to create virtual schools under the authority of this part shall grant admission to and serve only those students who are enrolled in the LEA. Nothing in this part shall be construed to prohibit an LEA from entering into a written contractual agreement with other LEAs to offer virtual education programs. Contracts entered into between or among LEAs shall be approved by the board of education of each participating LEA.

SECTION 2. Tennessee Code Annotated, Section 49-16-211, is amended by deleting the section in its entirety and by substituting instead the following:

Any student who is eligible for enrollment in the LEA may enroll in the virtual school established by that LEA as either a full-time or part-time virtual school student. Each student enrolled shall, however, be enrolled as a full-time student in the LEA.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Dunn moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes 61
Noes..... 34

Representatives voting aye were: Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Coley, Dean, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Todd, Watson, Weaver, White, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 61

Representatives voting no were: Alexander, Armstrong, Bass, Brown, Camper, Cooper, Curtiss, DeBerry J, DeBerry L, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Jones, Kernell,

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McDonald, Miller L, Moore, Naifeh, Parkinson, Pitts, Pruitt, Richardson, Shaw, Shepard, Sontany, Stewart, Tidwell, Towns, Turner J, Turner M, Williams K, Windle -- 34

Rep. Hardaway moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Hardaway moved that Amendment No. 5 be withdrawn, which motion prevailed.

Rep. Maggart moved that **Senate Bill No. 1180** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 70
Noes..... 23

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Curtiss, Dean, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Tidwell, Todd, Watson, Weaver, White, Williams R, Wirgau, Womick, Madam Speaker Harwell -
- 70

Representatives voting no were: Armstrong, Brown, Camper, Cooper, DeBerry L, Favors, Fitzhugh, Gilmore, Harmon, Jones, Kernell, McDonald, Miller L, Moore, Richardson, Shepard, Sontany, Stewart, Towns, Turner J, Turner M, Williams K, Windle -- 23

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "no" to "aye" on **Senate Bill No. 1180** and have this statement entered in the Journal: Rep(s). Kernell.

REGULAR CALENDAR NO. 2, CONTINUED

House Bill No. 3879 -- Sumner County - As introduced, subject to local approval, creates the "Financial Management Modernization System of the County of Sumner, Tennessee of 2012"; repeals Chapter 113 of the Private Acts of 2002, in certain circumstances. by *Maggart (SB3808 by *Roberts)

On motion, House Bill No. 3879 was made to conform with **Senate Bill No. 3808**; the Senate Bill was substituted for the House Bill.

Rep. Maggart moved that Senate Bill No. 3808 be passed on third and final consideration.

5414

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Rep. Ramsey moved that State and Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Maggart moved that **Senate Bill No. 3808** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes.....	2

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

Representatives voting no were: Armstrong, DeBerry L -- 2

A motion to reconsider was tabled.

House Bill No. 2889 -- Taxes, Exemption and Credits - As introduced, authorizes a sales tax refund on purchases made by persons receiving insurance settlements or filing insurance claims for damages resulting from disasters occurring in 2011; extends the filing deadline for applications to June 30, 2012. - Amends TCA Title 67, Chapter 6, Part 3. by *Watson, *Forgety, *Dean, *Cobb, *Floyd, *Matlock, *Brooks K. (*SB2701 by *Bell)

On motion, House Bill No. 2889 was made to conform with **Senate Bill No. 2701**; the Senate Bill was substituted for the House Bill.

Rep. Watson moved that Senate Bill No. 2701 be passed on third and final consideration.

Rep. McManus moved that Commerce Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that Finance, Ways and Means Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Watson moved that **Senate Bill No. 2701** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

House Bill No. 3881 -- Scotts Hill - As introduced, subject to local approval, sets 30-day residency requirement to vote in the municipal election; authorizes property rights voting limited to one person per parcel. - Amends Chapter 105 of the Private Acts of 2004. by *McDaniel. (SB3812 by *Herron)

Rep. McDaniel moved that **House Bill No. 3881** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	78
Noes.....	12
Present and not voting.....	1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Naifeh, Niceley, Pody, Powers, Pruitt, Ragan, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Swann, Tidwell, Todd, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 78

Representatives voting no were: Brown, Cooper, Favors, Hardaway, Haynes, Kernell, Moore, Parkinson, Pitts, Stewart, Turner J, Turner M -- 12

Representatives present and not voting were: McDonald -- 1

A motion to reconsider was tabled.

House Joint Resolution No. 816 -- Naming and Designating - Designates an official Tennessee War of 1812 Bicentennial Commission. by *McDaniel.

Rep. McDaniel moved adoption of **House Joint Resolution No. 816**, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Todd, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

House Bill No. 1455 -- Parks, Natural Areas Preservation - As introduced, increases from two to three years time after designation into the system that the commissioner of environment and conservation have completed a comprehensive plan of development and protection and begun the process of acquisition. - Amends TCA Title 11. by *Sargent, *Hawk. (*SB948 by *Johnson)

On motion, House Bill No. 1455 was made to conform with **Senate Bill No. 948**; the Senate Bill was substituted for the House Bill.

Rep. Sargent moved that Senate Bill No. 948 be passed on third and final consideration.

Rep. Lollar moved that Conservation and Environment Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that **Senate Bill No. 948** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

House Bill No. 3703 -- Special License Plates - As introduced, directs the legend of animal friendly new specialty license plates to bear "Spay/Neuter"; plates to be issued only after

exhaustion of existing stock. - Amends TCA Title 55, Chapter 4. by *Johnson P, *Sargent. (*SB3567 by *Marrero, *Ford)

On motion, House Bill No. 3703 was made to conform with **Senate Bill No. 3567**; the Senate Bill was substituted for the House Bill.

Rep. P. Johnson moved that Senate Bill No. 3567 be passed on third and final consideration.

Rep. Dean moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 3567 by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____ Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Snipe Hunters International of Tennessee;

SECTION ____ Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

55-4-2__.

(a) Owners or lessees of motor vehicles who are residents of Tennessee, upon complying with state motor vehicle laws relating to registration, licensing, and Bonding of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Snipe Hunters International of Tennessee new specialty earmarked license plate for any motor vehicle authorized by § 55-4-210(c), and specifically a rusted-out 1975 Ford F-150 pick-up truck.

(b) The new specialty earmarked license plates provided for in this section shall be designed in consultation with the grand exalted poobah and board of cheetahs of Snipe Hunters International of Tennessee. Such plates shall bear a cartoonish picture of that exotic and elusive wildlife known as the snipe and shall also bear the acronym of the organization.

(c) In accordance with § 55-4-215, funds produced from the sale of Snipe Hunters International of Tennessee new specialty earmarked license plates shall be allocated to the Tennessee wildlife resources agency to be used to increase public awareness about the many benefits accruing to society as a result of snipe hunting and its mythic adventures and to conduct an exhaustive search to locate at least two (2) members of the snipe species so that this exotic but dwindling breed can be saved through forced reproduction in captivity, like the Kardashian sisters.

Rep. Dean moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. P. Johnson moved that **Senate Bill No. 3567** be passed on third and final consideration, which motion prevailed by the following vote:

5418

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Ayes 96
Noes..... 0
Present and not voting..... 1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

Representatives present and not voting were: Cooper -- 1

A motion to reconsider was tabled.

House Bill No. 3234 -- Municipal Government - As introduced, removes prohibition on creation of municipal school districts. - Amends TCA Section 6-58-112. by *McCormick, *Forgety, *Sanderson, *Eldridge, *Carr, *Hawk, *McDaniel, *Lundberg, *Casada, *Williams K, *Rich, *Todd, *Lollar, *Coley, *White, *McManus. (*SB2908 by *Norris)

Rep. McCormick requested that House Bill No. 3234 be moved down 1 place on the Calendar.

***House Bill No. 3851** -- Hamilton County - As introduced, subject to local approval, increases the board of the Chattanooga-Hamilton County Hospital Authority from 11 to 13; the legislative delegation is to appoint the two additional members upon the recommendation by the Hamilton County Medical Society. - Amends Chapter 297 of the Private Acts of 1976. by *McCormick. (SB3793 by *Berke)

Rep. McCormick moved that House Bill No. 3851 be passed on third and final consideration.

Rep. Ramsey moved that State and Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Ramsey moved adoption of State and Local Government Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 3851 By deleting the language "'thirteen (13)'" from Section 1 and by substituting instead the language "'twelve (12)'".

AND FURTHER AMEND by deleting from Section 2 the language "The legislative delegation shall by a majority vote appoint three (3) trustees, two (2) of whom shall be recommended by the Hamilton County Medical Society." and by substituting instead the following language:

The legislative delegation shall by a majority vote appoint one (1) trustee. The chief of staff of Erlanger Hospital shall serve as a trustee.

On motion, State and Local Government Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. McCormick moved that **House Bill No. 3851**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sontany, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

House Bill No. 3234 -- Municipal Government - As introduced, removes prohibition on creation of municipal school districts. - Amends TCA Section 6-58-112. by *McCormick, *Forgety, *Sanderson, *Eldridge, *Carr, *Hawk, *McDaniel, *Lundberg, *Casada, *Williams K, *Rich, *Todd, *Lollar, *Coley, *White, *McManus. (*SB2908 by *Norris)

Further consideration of House Bill No. 3234 previously considered on today's Calendar.

On motion, House Bill No. 3234 was made to conform with **Senate Bill No. 2908**; the Senate Bill was substituted for the House Bill.

Rep. McCormick moved that Senate Bill No. 2908 be passed on third and final consideration.

Rep. Montgomery moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2908 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 6-58-112(b), is amended by designating the current language as subdivision (1) and by adding the following new language, to be designated as subdivision (2):

(2) From and after the effective date of the transfer of the administration of the schools in a special school district to the county board of education pursuant to § 49-2-502(b), the restrictions imposed by § 6-58-112(b)(1) on creation of municipal school districts no longer apply within such county.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. M. Turner moved the previous question, which motion prevailed.

On motion, Education Committee Amendment No. 1 was adopted by the following vote:

Ayes	65
Noes.....	26
Present and not voting.....	3

Representatives voting aye were: Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Tidwell, Todd, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 65

Representatives voting no were: Armstrong, Brown, Camper, Cooper, Curtiss, DeBerry L, Favors, Gilmore, Hardaway, Jones, Kernell, Miller L, Moore, Naifeh, Parkinson, Pitts, Pruitt, Richardson, Shaw, Shepard, Sontany, Stewart, Towns, Turner J, Turner M, Windle -- 26

Representatives present and not voting were: Alexander, Dean, Harmon -- 3

Rep. Hardaway moved consideration of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2908 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 6-58-112(b), is amended by deleting the subsection in its entirety.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

The motion for consideration of Amendment No. 2 failed by the following vote:

Ayes	25
Noes.....	66
Present and not voting.....	1

Representatives voting aye were: Bass, Brown, Camper, Cooper, Curtiss, DeBerry L, Favors, Fitzhugh, Gilmore, Hardaway, Hensley, McDonald, Miller L, Moore, Naifeh, Parkinson, Pitts, Pruitt, Richardson, Stewart, Tidwell, Towns, Turner J, Turner M, Windle -- 25

Representatives voting no were: Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Dean, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Haynes, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Swann, Todd, Watson, Weaver, White, Williams K, Williams R, Wirgau, Madam Speaker Harwell -- 66

Representatives present and not voting were: Alexander -- 1

Rep. Hardaway moved consideration of Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 2908 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. The department of education is directed to conduct a study on the effects of this act on education in this state and to report back any findings from such study to the education committees of the house of representatives and the senate on or before January 1, 2013.

The motion for consideration of Amendment No. 3 failed by the following vote:

Ayes	31
Noes.....	59
Present and not voting.....	4

Representatives voting aye were: Armstrong, Bass, Brown, Camper, Cooper, Curtiss, DeBerry J, DeBerry L, Favors, Fitzhugh, Gilmore, Hardaway, Jones, Kernell, McDonald, Miller L, Moore, Naifeh, Niceley, Parkinson, Pitts, Pruitt, Richardson, Shaw, Shepard, Stewart, Tidwell, Towns, Turner J, Turner M, Windle -- 31

Representatives voting no were: Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford, Forgety, Gotto, Halford, Harrison, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Todd, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 59

Representatives present and not voting were: Alexander, Dean, Hall, Swann -- 4

On motion, the previous question failed by the following vote:

Ayes	62
Noes.....	34
Present and not voting.....	1

Representatives voting aye were: Brooks H, Brooks K, Butt, Campbell, Casada, Cobb, Coley, Dean, Dennis, Elam, Eldridge, Evans, Faison, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Todd, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 62

Representatives voting no were: Armstrong, Bass, Brown, Camper, Carr, Cooper, Curtiss, DeBerry J, DeBerry L, Dunn, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Jones, Kernell, McDonald, Miller L, Moore, Naifeh, Parkinson, Pitts, Pruitt, Richardson, Shaw, Shepard, Sontany, Stewart, Tidwell, Towns, Turner J, Turner M, Windle -- 34

Representatives present and not voting were: Alexander -- 1

After further discussion, Rep. K. Williams moved the previous question, which motion prevailed.

Rep. McCormick moved that **Senate Bill No. 2908**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	62
Noes.....	30
Present and not voting.....	3

Representatives voting aye were: Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Todd, Watson, Weaver, White, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 62

Representatives voting no were: Armstrong, Bass, Brown, Camper, Cooper, Curtiss, DeBerry J, DeBerry L, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Jones, Kernell, McDonald, Miller L, Moore, Naifeh, Parkinson, Pitts, Pruitt, Richardson, Shaw, Shepard, Sontany, Stewart, Towns, Turner M, Windle -- 30

Representatives present and not voting were: Alexander, Dean, Tidwell -- 3

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

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Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “no” on **Senate Bill No. 2908** and have this statement entered in the Journal: Rep(s). J. Turner.

REGULAR CALENDAR NO. 2, CONTINUED

House Bill No. 3108 -- Education - As introduced, authorizes designees of the comptroller of the treasury, the secretary of state and the state treasurer to serve on THEC. - Amends TCA Title 49. by *Brooks H, *Naifeh. (*SB2866 by *Berke)

On motion, House Bill No. 3108 was made to conform with **Senate Bill No. 2866**; the Senate Bill was substituted for the House Bill.

Rep. H. Brooks moved that **Senate Bill No. 2866** be passed on third and final consideration.

Rep. Montgomery moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Hardaway moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Hardaway requested that Amendment No. 3 be moved down 1 place.

Rep. Hardaway moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Hardaway moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. H. Brooks moved that **Senate Bill No. 2866** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Carr voted “aye” on **Senate Bill No. 2866**.

REGULAR CALENDAR NO. 2, CONTINUED

House Bill No. 3238 -- Local Education Agencies - As introduced, requires local board of education to approve budget for operation of county schools after the county legislative body's approval in accordance with Local Option Budgeting Law of 1993. - Amends TCA Section 49-2-101. by *Brooks H. (*SB2967 by *Tracy)

On motion, House Bill No. 3238 was made to conform with **Senate Bill No. 2967**; the Senate Bill was substituted for the House Bill.

Rep. H. Brooks moved that **Senate Bill No. 2967** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	0
Present and not voting.....	2

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

Representatives present and not voting were: Brown, Favors -- 2

A motion to reconsider was tabled.

***Senate Joint Resolution No. 552** -- General Assembly, Statement of Intent or Position - Urges support for school-aged children's access to immunization through school-based vaccination programs. by *Tracy.

Rep. H. Brooks moved that the House concur in **Senate Joint Resolution No. 552**, which motion prevailed by the following vote:

Ayes	92
Noes.....	1

Present and not voting..... 2

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Watson, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

Representatives voting no were: Weaver -- 1

Representatives present and not voting were: Brown, Evans -- 2

A motion to reconsider was tabled.

***House Bill No. 2346** -- Education - As introduced, revises various provisions governing school accountability and achievement school district. - Amends TCA Title 49, Chapter 1, Part 6 and Title 49, Chapter 13. by *McCormick, *Brooks H. (SB2208 by *Norris, *Gresham, *Johnson)

On motion, House Bill No. 2346 was made to conform with **Senate Bill No. 2208**; the Senate Bill was substituted for the House Bill.

Rep. H. Brooks moved that Senate Bill No. 2208 be passed on third and final consideration.

Rep. Montgomery moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. H. Brooks moved that **Senate Bill No. 2208** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 79
Noes..... 13
Present and not voting..... 1

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller L, Montgomery, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Shaw, Shepard, Shipley, Sparks, Swann, Tidwell, Todd, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 79

Representatives voting no were: Armstrong, Brown, Cooper, Favors, Gilmore, Jones, McDonald, Moore, Sontany, Stewart, Towns, Turner J, Turner M -- 13

Representatives present and not voting were: Kernell -- 1

A motion to reconsider was tabled.

House Bill No. 3119 -- Alcoholic Beverages - As introduced, reduces from four to three the number of cabins that Buffalo River Resort must have in order to qualify as a premier type tourist resort for purposes of the sale of alcoholic beverages for on-premises consumption. - Amends TCA Section 57-4-102. by *Tindell, *Casada, *Haynes, *Sanderson. (*SB2882 by *Haynes)

Rep. Casada moved that House Bill No. 3119 be reset for the Regular Calendar Addendum on April 27, 2012, which motion prevailed.

House Bill No. 3141 -- Public Officials - As introduced, provides that a public official receives an unauthorized benefit for purposes of the criminal offense of official misconduct if the official purchases real property knowing that the property may later be purchased by a governmental entity. - Amends TCA Section 39-16-402. by *Gotto, *Watson. (*SB2788 by *Kelsey, *Beavers, *Johnson, *Barnes)

On motion, House Bill No. 3141 was made to conform with **Senate Bill No. 2788**; the Senate Bill was substituted for the House Bill.

Rep. Gotto moved that Senate Bill No. 2788 be passed on third and final consideration.

Rep. Ramsey moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2788 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-16-402, is amended by adding the following language as a new subsection (c) and redesignating subsequent subsections accordingly:

(c)

(1) For purposes of subdivision (a)(5), the ways in which a public servant receives a benefit not otherwise authorized by law include, but are not limited to, a public servant who:

(A) Purchases real property or otherwise obtains an option to purchase real property with intent to make a profit if the public servant knows that such real property may be purchased by a

governmental entity and such information is not public knowledge;
or

(B) Acquires nonpublic information derived from such person's position as a public servant or gained from the performance of such person's official duties as a public servant and knowingly acts on such nonpublic information to acquire, or obtain an option to acquire, or liquidate, tangible or intangible personal property with intent to make a profit.

(2) Ouster provisions shall be instituted upon a conviction under subsection (a) in which the conduct described in subsection (c) is basis of the violation. In addition any person convicted of such offense shall forever afterwards be disqualified from holding any office under the laws or constitution of this state.

SECTION 2. Tennessee Code Annotated, Section 39-16-402, is amended by deleting subsection (d), which was redesignated as subsection (e) by this act, and substituting instead the following:

(e)

(1) An offense under subsection (a) in which the conduct described in subsection (c) is not the basis of the violation is a Class E felony.

(2) An offense under subsection (a) in which the conduct described in subsection (c) is basis of the violation is a Class A misdemeanor and the court shall order appropriate restitution to the governmental entity harmed by the offense.

(3) If the defendant's conduct violates this section and other criminal statutes, nothing in this subsection shall be construed as prohibiting prosecution and conviction for theft or any other such applicable offense in addition to or in lieu of prosecution and conviction for a violation of this section.

SECTION 3. This act shall take effect July 1, 2012, the public welfare requiring it.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Gotto moved that **Senate Bill No. 2788**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford,

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Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

Representatives present and not voting were: Brown -- 1

A motion to reconsider was tabled.

***House Bill No. 3576** -- Education, Higher - As introduced, prohibits certain colleges and universities in this state from denying recognition, privileges or benefits to a student organization or group on the basis of religious content of the organization's or group's speech or the manner in which the organization or group determines its organizational affairs. - Amends TCA Title 49. by *Pody, *Powers. (SB3597 by *Beavers, *Gresham, *Roberts, *Bell)

Further consideration of House Bill No. 3576 previously considered on today's Regular Calendar, at which time the House adopted Amendment(s) No(s). 1.

Rep. Pody moved that House Bill No. 3576 be passed on third and final consideration.

Rep. Dunn moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 3576 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following language as a new section:

49-7-150.

(a) No state higher education institution that grants recognition to any student organization shall discriminate against or deny recognition to a student organization, or deny to a student organization access to programs, funding, or facilities otherwise available to another student organization, on the basis of:

(1) The religious content of the organization's speech including, but not limited to, worship; or

(2) The organization's exercise of its rights pursuant to subsection (b).

(b) A religious student organization may determine that the organization's religious mission requires that only persons professing the

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faith of the group and comporting themselves in conformity with it qualify to serve as members or leaders.

(c) As used in this section, “state higher education institution” means:

(1) Any higher education institution governed by chapter 8 or 9 of this title; or

(2) Any private higher education institution that receives payments from state funds derived directly from state tax revenues that annually total more than twenty-four million dollars (\$24,000,000).

(d) Any private higher education institution that receives payments from state funds derived directly from state tax revenues that annually total more than twenty-four million dollars (\$24,000,000) may adopt a policy that denies recognition to religious student organizations because they maintain leadership or membership criteria based on religious beliefs, but solely on the condition that:

(1) The institution requires every recognized student organization, including organizations described in 20 U.S.C. § 1681 (a)(6)(A) (also known as “Title IX”), to accept as members all students who apply to be members; and

(2) The institution does not allow any recognized student organization, including organizations described in 20 U.S.C. § 1681 (a)(6)(A) (also known as “Title IX”), to set a numerical limit on membership or to use subjective qualifications for choosing its members.

(e) This section does not apply to any religious school, college, university, or other educational institution or institution of learning described in 42 U.S.C. § 2000e-2(e)(2).

SECTION 2. Subdivision (c)(2) and subsections (d) and (e) of Section 1 of this act are repealed June 30, 2013.

SECTION 3. This act shall take effect July 1, 2012, the public welfare requiring it.

BILL HELD ON DESK

Rep. Pody moved that House Bill No. 3576 be held on the Clerk’s desk, which motion prevailed.

REGULAR CALENDAR NO. 2, CONTINUED

House Bill No. 3157 -- Insurance, Health, Accident - As introduced, states that coverage made available in plans under the Memphis Plan Act of 1991 shall constitute minimum essential health coverage for purposes of compliance with certain federal minimum coverage requirements. - Amends TCA Title 56, Chapter 7. by *DeBerry J, *Hardaway. (*SB2943 by *Norris)

Further consideration of House Bill No. 3157 previously considered on today's Regular Calendar No. 2.

Rep. J. DeBerry moved that House Bill No. 3157 be reset for the Regular Calendar Addendum on April 27, 2012, which motion prevailed.

BILL HELD ON DESK

Rep. Naifeh moved that House Joint Resolution No. 1130 be held on the Clerk's desk, which motion prevailed.

SPECIAL ORDER

Without objection, Rep. Dunn moved the House take up the Consent Calendar No. 3 out of order at this time.

CONSENT CALENDAR NO. 3

House Resolution No. 296 -- Memorials, Public Service - Officer John Shearer. by *Parkinson.

House Resolution No. 297 -- Memorials, Interns - Matthew Herriman. by *Hall.

House Resolution No. 300 -- Memorials, Recognition - John A. Elkington. by *Todd.

House Joint Resolution No. 1061 -- Memorials, Recognition - Recognize NAIA Women's Golf National Championship Days. by *Hawk, *Roach, *Faison.

House Joint Resolution No. 1111 -- Memorials, Personal Occasion - Bill and Loretta Winstead, 50th wedding anniversary. by *Harrison.

House Joint Resolution No. 1112 -- Memorials, Academic Achievement - Joshua Butler, Valedictorian, Austin-East High School. by *Armstrong, *Tindell.

House Joint Resolution No. 1113 -- Memorials, Academic Achievement - Caleb Brothers, Salutatorian, Austin-East High School. by *Armstrong, *Tindell.

House Joint Resolution No. 1115 -- Memorials, Retirement - Mary Frances Warren. by *Harwell, *Naifeh, *Shepard.

House Joint Resolution No. 1116 -- Memorials, Public Service - Robert D. Martin. by *Evans, *Casada, *Hill, *Dennis, *Rich, *Harwell.

House Joint Resolution No. 1117 -- Memorials, Recognition - "Little Richard" Penniman. by *Towns.

House Joint Resolution No. 1118 -- Memorials, Academic Achievement - Kara Skjoldager, Valedictorian, Memphis Central High School. by *Hardaway, *DeBerry J.

House Joint Resolution No. 1119 -- Memorials, Academic Achievement - Elizabeth Forester, Co-Salutatorian, Memphis Central High School. by *Hardaway, *DeBerry J.

House Joint Resolution No. 1120 -- Memorials, Academic Achievement - Jordaan McGill, Co-Salutatorian, Memphis Central High School. by *Hardaway, *DeBerry J.

House Joint Resolution No. 1121 -- Memorials, Academic Achievement - Keshane Hong Gan, Valedictorian, White Station High School. by *Hardaway.

House Joint Resolution No. 1122 -- Memorials, Academic Achievement - Tejasvi Krishna Dasari, Salutatorian, White Station High School. by *Hardaway.

House Joint Resolution No. 1123 -- Memorials, Academic Achievement - Natasha Mehra, Salutatorian, White Station High School. by *Hardaway.

House Joint Resolution No. 1124 -- Memorials, Academic Achievement - Eva Motley, Salutatorian, Memphis Health Careers Academy. by *Hardaway.

House Joint Resolution No. 1125 -- Memorials, Academic Achievement - Amber Carpenter, Valedictorian, Memphis Health Careers Academy. by *Hardaway.

House Joint Resolution No. 1126 -- Memorials, Academic Achievement - Christian Jones, Valedictorian, Melrose High School. by *Hardaway.

House Joint Resolution No. 1127 -- Memorials, Academic Achievement - Johnterrious Hall, Salutatorian, Melrose High School. by *Hardaway.

House Joint Resolution No. 1128 -- Memorials, Academic Achievement - Tieranny Woods, Valedictorian, Overton High School. by *Hardaway.

House Joint Resolution No. 1129 -- Memorials, Academic Achievement - Kya Jones, Salutatorian, Overton High School. by *Hardaway.

House Joint Resolution No. 1130 -- Memorials, Public Service - Reta Adams. by *Naifeh, *DeBerry L.

House Joint Resolution No. 1131 -- Memorials, Academic Achievement - Brandon William Morse, Valedictorian, Dayspring Academy. by *Evans.

House Joint Resolution No. 1132 -- Memorials, Academic Achievement - Micaela Leigh Flanders, Salutatorian, Dayspring Academy. by *Evans.

House Joint Resolution No. 1133 -- Memorials, Recognition - Honors participants of Pro-Life Oratory Contest for Tennessee High School Students. by *Brooks K.

House Joint Resolution No. 1134 -- Memorials, Recognition - Saj Crone. by *Kernell, *Coley.

House Joint Resolution No. 1135 -- Memorials, Academic Achievement - Breanna Glenn, Salutatorian, Howard School of Academics and Technology. by *Brown.

House Joint Resolution No. 1136 -- Memorials, Academic Achievement - Morgan Howard, Valedictorian, Notre Dame High School. by *Brown.

House Joint Resolution No. 1137 -- Memorials, Personal Achievement - Cory Phillips, Eagle Scout. by *Brown.

House Joint Resolution No. 1138 -- Memorials, Academic Achievement - Patrick Ward, Salutatorian, Notre Dame High School. by *Brown.

House Joint Resolution No. 1139 -- Memorials, Public Service - Tennessee Rehabilitation Center and its newest graduates. by *Brown.

House Joint Resolution No. 1140 -- Memorials, Public Service - Hamilton County Drug Court and its graduates. by *Brown.

Senate Joint Resolution No. 762 -- Memorials, Death - former Senator William Allen Richardson, Jr. by *Ketron, *Henry, *Berke, *Harper, *Herron, *McNally.

Senate Joint Resolution No. 892 -- Memorials, Interns - Morgan Kinney. by *Overbey.

Senate Joint Resolution No. 905 -- Memorials, Interns - Rodriquez Wright II. by *Ford.

Senate Joint Resolution No. 907 -- Memorials, Retirement - Glen Page. by *Kyle.

Senate Joint Resolution No. 914 -- Memorials, Recognition - Uncle Dave Macon Days, 35th Anniversary. by *Ketron, *Tracy, *Stewart.

Senate Joint Resolution No. 919 -- Memorials, Retirement - Josephine Binkley. by *Herron.

Rep. Todd moved that all members voting aye on House Resolution No. 300 be added as co-prime sponsors, with the Shelby County delegation listed first, which motion prevailed with

the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

Rep. Shepard moved that all members voting aye on House Joint Resolution No. 1115 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

Rep. Parkinson moved that all members voting aye on House Resolution No. 296 be added as co-prime sponsors, with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

Rep. Naifeh moved that all members voting aye on Senate Joint Resolution No. 907 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

Rep. Hardaway moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 1118, which motion prevailed.

Rep. Hardaway moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 1119 be added as co-prime sponsors, which motion prevailed.

Rep. Hardaway moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 1120 be added as co-prime sponsors, which motion prevailed.

Rep. Hardaway moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 1121 be added as co-prime sponsors, which motion prevailed.

Rep. Hardaway moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 1122 be added as co-prime sponsors, which motion prevailed.

Rep. Hardaway moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 1123 be added as co-prime sponsors, which motion prevailed.

Rep. Hardaway moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 1124 be added as co-prime sponsors, which motion prevailed.

Rep. Hardaway moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 1125 be added as co-prime sponsors, which motion prevailed.

THURSDAY, APRIL 26, 2012 – EIGHTIETH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Hardaway moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 1126 be added as co-prime sponsors, which motion prevailed.

Rep. Hardaway moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 1127 be added as co-prime sponsors, which motion prevailed.

Rep. Hardaway moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 1128 be added as co-prime sponsors, which motion prevailed.

Rep. Hardaway moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 1129 be added as co-prime sponsors, which motion prevailed.

Rep. Towns moved that all members voting aye on House Joint Resolution No. 1117 be added as co-prime sponsors, with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	97
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Kernell moved that the rules be suspended in order to allow the Shelby County delegation to be added as co-prime sponsors on House Joint Resolution No. 1134, which motion prevailed.

RECESS MOTION

Rep. K. Williams moved that the House stand in recess until 1:00 p.m., Monday, April 30, 2012, which motion failed by the following vote:

Ayes	25
Noes.....	64
Present and not voting.....	1

Representatives voting aye were: Armstrong, Bass, Brown, Cooper, DeBerry L, Favors, Fitzhugh, Ford, Gilmore, Hardaway, Hensley, Jones, McDonald, Miller L, Moore, Naifeh, Pitts, Pruitt, Roach, Shaw, Sontany, Tidwell, Towns, Turner J, Williams K -- 25

Representatives voting no were: Alexander, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Curtiss, Dean, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McManus, Miller D, Montgomery, Niceley, Parkinson, Pody, Powers, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shepard, Shipley, Stewart, Swann, Turner M, Watson, Weaver, White, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 64

Representatives present and not voting were: Dennis -- 1

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1055 Rep(s). Campbell as prime sponsor(s).

House Bill No. 3082 Rep(s). Harrison as prime sponsor(s).

House Bill No. 3102 Rep(s). McDaniel as prime sponsor(s).

House Bill No. 3576 Rep(s). D. Miller and Floyd as prime sponsor(s).

House Bill No. 3851 Rep(s). Favors and Brown as prime sponsor(s).

House Bill No. 3884 Rep(s). L. DeBerry, Hardaway, J. DeBerry and Kernell as prime sponsor(s).

REQUEST TO BE ADDED AS SPONSOR

The following member(s) requested to add their name(s) as sponsor(s) as indicated below, the prime sponsor having agreed to such addition. Sponsorship was not granted since request was made after passage/adoption of said bill/resolution:

House Bill No. 1729 Rep(s). Hardaway

MESSAGE FROM THE SENATE
April 26, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 3092; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 3092 -- Criminal Offenses - As introduced, prohibits business owners from knowingly permitting minors to engage in sexual activity on the premises of the business. - Amends TCA Title 39; Title 40; Title 67; Title 68 and Title 71. by *Herron. (*HB2221 by *Parkinson)

MESSAGE FROM THE SENATE
April 26, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 3207; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 3207 -- Fees - As introduced, creates the local correctional officer training fund through the collection of a 10-cent fee for each completed telephone call or other electronic communication made by inmates housed in local jails or workhouses. - Amends TCA Section 41-7-104. by *Yager, *Burks. (*HB3326 by *Ramsey, *Brooks H)

ENGROSSED BILLS
April 26, 2012

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 3459;

BETTY KAY FRANCIS, Chief Engrossing Clerk

5437

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

ENROLLED BILLS

April 26, 2012

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 2286; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

ENGROSSED BILLS

April 26, 2012

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090 and 1091.

BETTY KAY FRANCIS, Chief Engrossing Clerk

SIGNED

April 26, 2012

The Speaker announced that she had signed the following: House Bill(s) No(s). 2286.

BETTY KAY FRANCIS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 26, 2012

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2286; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

REPORT OF CHIEF ENGROSSING CLERK

April 26, 2012

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 2286; for his action.

BETTY KAY FRANCIS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 26, 2012

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 599 and 667; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

ENROLLED BILLS

April 26, 2012

5438

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 286, 287, 288, 289, 290 and 291; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk

SIGNED
April 26, 2012

The Speaker announced that she had signed the following: House Resolution(s) No(s). 286, 287, 288, 289, 290 and 291.

BETTY KAY FRANCIS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE
April 26, 2012

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3665; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 26, 2012

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3263; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 26, 2012

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3093, 3276, 3373, 3381, 3459 and 3858; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

ENROLLED BILLS
April 26, 2012

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 3175; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

SIGNED
5439

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April 26, 2012

The Speaker announced that she had signed the following: House Bill(s) No(s). 3175.

BETTY KAY FRANCIS, Chief Engrossing Clerk

ENGROSSED BILLS

April 26, 2012

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 3839;

BETTY KAY FRANCIS, Chief Engrossing Clerk

MESSAGE FROM THE GOVERNOR

April 26, 2012

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 614, 636, 773, 783, 824, 843, 847, 914, 915, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 934, 935, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 948, 949, 950, 951, 952, 954, 955, 956, 957, 958, 959, 961, 962, 963, 964, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 981, 982, 983, 984, 986 and 987; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

MESSAGE FROM THE SENATE

April 26, 2012

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3175; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

REPORT OF CHIEF ENGROSSING CLERK

April 26, 2012

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 3175; for his action.

BETTY KAY FRANCIS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 26, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 3743; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 3743** -- Clerks, Court - As introduced, authorizes certain counties to levy a \$1.00 litigation tax on each petition, warrant and citation to fund victim-offender mediation centers and initiatives. - Amends TCA Title 16, Chapter 20, Part 1. by *McNally, *Henry. (HB3826 by *Stewart)

MESSAGE FROM THE SENATE

April 26, 2012

MADAM SPEAKER: I am directed to request the return of: House Bill(s) No(s). 3459; for further consideration.

RUSSELL A. HUMPHREY, Chief Clerk

ENGROSSED BILLS

April 26, 2012

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 3659 and 3874.

BETTY KAY FRANCIS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 26, 2012

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1075; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 26, 2012

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2344; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 26, 2012

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3218; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 26, 2012

THURSDAY, APRIL 26, 2012 – EIGHTIETH LEGISLATIVE DAY UNOFFICIAL VERSION

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3431; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 26, 2012

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1376, 2566, 2641, 2776, 2962, 3062 and 3429; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 26, 2012

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 734, 742, 743, 844, 890, 933, 936, 988, 989, 990, 991, 992, 993, 994, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1056, 1057, 1058, 1059, 1060, 1062, 1063, 1064, 1065 and 1066; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

ENGROSSED BILLS

April 26, 2012

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 1092, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107 and 1108.

BETTY KAY FRANCIS, Chief Engrossing Clerk

ENGROSSED BILLS

April 26, 2012

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 3851 and 3881; also House Joint Resolution(s) No(s). 816;

BETTY KAY FRANCIS, Chief Engrossing Clerk

ENROLLED BILLS

April 26, 2012

5442

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THURSDAY, APRIL 26, 2012 – EIGHTIETH LEGISLATIVE DAY UNOFFICIAL VERSION

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 292, 293, 294 and 295; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
April 26, 2012**

The Speaker announced that she had signed the following: House Resolution(s) No(s). 292, 293, 294 and 295.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENGROSSED BILLS
April 26, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 3835, 3836 and 3837.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 26, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 777, 781, 782, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869 and 886; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
April 26, 2012**

The Speaker announced that she had signed the following: Senate Joint Resolution(s) No(s). 777, 781, 782, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869 and 886.

**ENGROSSED BILLS
April 26, 2012**

THURSDAY, APRIL 26, 2012 – EIGHTIETH LEGISLATIVE DAY UNOFFICIAL VERSION

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 1061, 1111, 1112, 1113, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139 and 1140.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 26, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 911; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
April 26, 2012**

The Speaker announced that she had signed the following: Senate Joint Resolution(s) No(s). 911.

RECESS MOTION

On motion of Rep. McCormick the House stood in recess until 10:30 a.m., Friday, April 27, 2012.